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- San Bernardino County Transportation Commission •San Bernardino County Transportation Authority
 - San Bernardino County Congestion Management Agency •Service Authority for Freeway Emergencies
-

AGENDA

Administrative Committee Meeting

June 10, 2009

9:00 a.m.

Location

SANBAG

Super Chief Conference Room

1170 W. 3rd Street, 2nd Floor

San Bernardino, CA

Administrative Committee Membership

Chair – SANBAG Vice President

Mayor Paul Eaton

City of Montclair

SANBAG President

Supervisor Gary Ovitt

County of San Bernardino

Mt./Desert Representatives

Mayor Rick Roelle

Town of Apple Valley

Council Member Mike Leonard

City of Hesperia

Supervisor Brad Mitzelfelt

County of San Bernardino

East Valley Representatives

Mayor Pro Tem Patricia Gilbreath

City of Redlands

Mayor Patrick Morris

City of San Bernardino

Supervisor Josie Gonzales

County of San Bernardino

West Valley Representatives

Council Member Gwenn Norton-Perry

City of Chino Hills

Mayor Dennis Yates

City of Chino

Supervisor Paul Biane

County of San Bernardino

San Bernardino Associated Governments (SANBAG) is a council of governments formed in 1973 by joint powers agreement of the cities and the County of San Bernardino. SANBAG is governed by a Board of Directors consisting of a mayor or designated council member from each of the twenty-four cities in San Bernardino County and the five members of the San Bernardino County Board of Supervisors.

In addition to SANBAG, the composition of the SANBAG Board of Directors also serves as the governing board for several separate legal entities listed below:

***The San Bernardino County Transportation Commission**, which is responsible for short and long range transportation planning within San Bernardino County, including coordination and approval of all public mass transit service, approval of all capital development projects for public transit and highway projects, and determination of staging and scheduling of construction relative to all transportation improvement projects in the Transportation Improvement Program.*

***The San Bernardino County Transportation Authority**, which is responsible for administration of the voter-approved half-cent transportation transactions and use tax levied in the County of San Bernardino.*

***The Service Authority for Freeway Emergencies**, which is responsible for the administration and operation of a motorist aid system of call boxes on State freeways and highways within San Bernardino County.*

***The Congestion Management Agency**, which analyzes the performance level of the regional transportation system in a manner which ensures consideration of the impacts from new development and promotes air quality through implementation of strategies in the adopted air quality plans.*

*As a **Subregional Planning Agency**, SANBAG represents the San Bernardino County subregion and assists the Southern California Association of Governments in carrying out its functions as the metropolitan planning organization. SANBAG performs studies and develops consensus relative to regional growth forecasts, regional transportation plans, and mobile source components of the air quality plans.*

Items which appear on the monthly Board of Directors agenda are subjects of one or more of the listed legal authorities. For ease of understanding and timeliness, the agenda items for all of these entities are consolidated on one agenda. Documents contained in the agenda package are clearly marked with the appropriate legal entity.

**San Bernardino Associated Governments
County Transportation Commission
County Transportation Authority
Service Authority for Freeway Emergencies
County Congestion Management Agency**

AGENDA

Administrative Committee Meeting

June 10, 2009

9:00 a.m.

Location: SANBAG, Super Chief Conference Room, 1170 W. 3rd Street, 2nd Floor,
San Bernardino

CALL TO ORDER 9:00 a.m..
(Meeting Chaired by Paul Eaton)

- I. Attendance
- II. Announcements
- III. Agenda Notices/Modifications – Anna Aldana

Notes/Actions

1. Possible Conflict of Interest Issues for the Administrative Committee Meeting June 10, 2009. Pg. 7

Note agenda item contractors, subcontractors and agents which may require member abstentions due to conflict of interest and financial interests. Board Member abstentions shall be stated under this item for recordation on the appropriate item.

Consent Calendar

Consent Calendar items shall be adopted by a single vote unless removed by member request.

Administrative Matters

2. Attendance Register Pg. 8

A quorum shall consist of a majority of the membership of each SANBAG Policy Committee, except that all County Representatives shall be counted as one for the purpose of establishing a quorum.

3. Procurement Report for May 2009 Pg. 10

Receive Monthly Procurement Report. William Stawarski

Discussion Items

Administrative Matters

4. 2009 Sales Tax Revenue Note 2008/2009 and 2009/2010 Budget Amendments Pg. 12

1. Amend the 2008/2009 SANBAG Budget to reflect receipt of revenue in the amount of \$260,474,213.65 from the 2009 Sales Tax Revenue Note issuance.

2. Amend the 2008/2009 SANBAG Budget to increase the budget for Task No. 94209000 – Financial Management, by \$1,416,001.92 from 2009 Sales Tax Revenue Note.

3. Amend the 2009/2010 SANBAG Budget to change the funding source from Measure I Valley Major Projects funds to 2009 Sales Tax Revenue Note for the following tasks including encumbrances:

Task 82509000 – I-10 Corridor Project Development	\$4,726,282
Task 82609000 – I-10/Cherry/Citrus Interchanges	\$4,234,972
Task 86909000 – Glen Helen Parkway Grade Separation	\$664,194
Task 87309000 – Valley Blvd. Grade Separation	\$496,970
Task 87409000 – Palm Avenue Grade Separation	\$340,860
Task 87509000 – Main Street Grade Separation	\$308,126
Task 87609000 – So. Milliken Avenue Grade Separation	\$703,371
Task 87709000 – Vineyard Avenue/UPRR Grade Separation	\$711,856
Task 87809000 – Archibald Avenue Grade Separation	\$707,671
Task 88009000 – I-15/I-215 Devore Interchange	\$3,782,616

4. Retain the remaining proceeds from the 2009 Sales Tax Revenue Note in the amount of \$49,010,293.73 for capitalized interest and unallocated fund balance, pending further budget authorization. **William Stawarski**

5. Amend Employment Contract for Major Projects Special Assignments Pg. 15

Approve Amendment No. 1 to Contract No. C08106 with Paula Beauchamp for management of Major Project's special assignments, to increase the amount by \$226,000 for a new not to exceed total of \$450,000. **Garry Cohoe**

6. Changes to Policy 10111, Work Requirements, Leaves, and Absences Pg. 21

Approve changes to Policy 10111 to incorporate Military Family Medical Leave Entitlements. These are new military family leave entitlements enacted under the National Defense Authorization Act for FY 2008 and became effective January 16, 2009. **Duane Baker**

Discussion Items Continued....**Administrative Matters (Cont.)**

7. **Wage and Benefits Continuation for Full-Time SANBAG Employees Called to Active Military Duty** Pg. 26

It is recommended that the Committee review the information provided at its request and provide direction to staff. **Duane Baker**

8. **Purchase of Modular Workstations for SANBAG Offices** Pg. 28

Approve Purchase Order No. P09224 with G/M Business Interiors for an amount not to exceed \$80,000 for modular workstations for positions authorized in previous budgets to help manage freeway construction and administration of Measure I 2010-2040. **Duane Baker**

Program Support/Council of Govts.

9. **Request for Proposal for SANBAG's State Advocacy Services** Pg. 30

Approve the release of a Request for Proposal (RFP) 09-223 for State Advocacy Services to be provided from October 2009 through September 2014. **Jennifer Franco**

Transportation Programs & Fund Administration

10. **Allocation of Local Transportation Funds (LTF) and State Transit Assistance Funds (STA) for Fiscal Year 2009/2010** Pg. 54

Adopt Resolution 10-001 authorizing the allocation of Local Transportation Funds (LTF) and State Transit Assistance Funds (STA) for Fiscal Year 2009/2010. **Mike Bair**

11. **Triennial Performance Audit of the San Bernardino Associated Governments for Fiscal Years 2005/2006 through 2007/2008** Pg. 58

Receive the Triennial Performance Audit of the San Bernardino Associated Governments for Fiscal Years 2005/2006 through 2007/2008 and direct staff to implement the audit recommendations. **Mike Bair**

Comments from Committee Members**Public Comment**

ADJOURNMENT

Additional Information

Acronym List

Pg. 110

Complete packages of the SANBAG agenda are available for public review at the SANBAG offices. Staff reports for items may be made available upon request. For additional information call (909) 884-8276.

Meeting Procedures and Rules of Conduct

Meeting Procedures

The Ralph M. Brown Act is the state law which guarantees the public's right to attend and participate in meetings of local legislative bodies. These rules have been adopted by the Board of Directors in accordance with the Brown Act, Government Code 54950 et seq., and shall apply at all meetings of the Board of Directors and Policy Committees.

Accessibility

The SANBAG meeting facility is accessible to persons with disabilities. If assistive listening devices or other auxiliary aids or services are needed in order to participate in the public meeting, requests should be made through the Clerk of the Board at least three (3) business days prior to the Board meeting. The Clerk's telephone number is (909) 884-8276 and office is located at 1170 W. 3rd Street, 2nd Floor, San Bernardino, CA.

Agendas – All agendas are posted at 1170 W. 3rd Street, 2nd Floor, San Bernardino at least 72 hours in advance of the meeting. Complete packages of this agenda are available for public review at the SANBAG offices and our website: www.sanbag.ca.gov. Staff reports for items may be made available upon request. For additional information call (909) 884-8276.

Agenda Actions – Items listed on both the "Consent Calendar" and "Items for Discussion" contain suggested actions. The Board of Directors will generally consider items in the order listed on the agenda. However, items may be considered in any order. New agenda items can be added and action taken by two-thirds vote of the Board of Directors.

Closed Session Agenda Items – Consideration of closed session items *excludes* members of the public. These items include issues related to personnel, pending litigation, labor negotiations and real estate negotiations. Prior to each closed session, the Chair will announce the subject matter of the closed session. If action is taken in closed session, the Chair may report the action to the public at the conclusion of the closed session.

Public Testimony on an Item – Members of the public are afforded an opportunity to speak on any listed item. Individuals wishing to address the Board of Directors or Policy Committee Members should complete a "Request to Speak" form, provided at the rear of the meeting room, and present it to the Clerk prior to the Board's consideration of the item. A "Request to Speak" form must be completed for *each* item an individual wishes to speak on. When recognized by the Chair, speakers should be prepared to step forward and announce their name and address for the record. In the interest of facilitating the business of the Board, speakers are limited to three (3) minutes on each item. Additionally, a twelve (12) minute limitation is established for the total amount of time any one individual may address the Board at any one meeting. The Chair or a majority of the Board may establish a different time limit as appropriate, and parties to agenda items shall not be subject to the time limitations.

The Consent Calendar is considered a single item, thus the three (3) minute rule applies. Consent Calendar items can be pulled at Board member request and will be brought up individually at the specified time in the agenda allowing further public comment on those items.

Agenda Times – The Board is concerned that discussion take place in a timely and efficient manner. Agendas may be prepared with estimated times for categorical areas and certain topics to be discussed. These times may vary according to the length of presentation and amount of resulting discussion on agenda items.

Public Comment – At the end of the agenda, an opportunity is also provided for members of the public to speak on any subject within the Board's authority. *Matters raised under "Public Comment" may not be acted upon at that meeting. "Public Testimony on any Item" still apply.*

Disruptive Conduct – If any meeting of the Board is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible, the Chair may recess the meeting or order the person, group or groups of person willfully disrupting the meeting to leave the meeting or to be removed from the meeting. Disruptive conduct includes addressing the Board without first being recognized, not addressing the subject before the Board, repetitiously addressing the same subject, failing to relinquish the podium when requested to do so, or otherwise preventing the Board from conducting its meeting in an orderly manner. *Please be aware that a NO SMOKING policy has been established for meetings. Your cooperation is appreciated!*

**SANBAG General Practices for Conducting Meetings
of
Board of Directors and Policy Committees**

Basic Agenda Item Discussion.

- The Chair announces the agenda item number and states the subject.
- The Chair calls upon the appropriate staff member or Board Member to report on the item.
- The Chair asks members of the Board/Committee if they have any questions or comments on the item. General discussion ensues.
- The Chair calls for public comment based on "Request to Speak" forms which may be submitted.
- Following public comment, the Chair announces that public comment is closed and asks if there is any further discussion by members of the Board/Committee.
- The Chair calls for a motion from members of the Board/Committee.
- Upon a motion, the Chair announces the name of the member who makes the motion. Motions require a second by a member of the Board/Committee. Upon a second, the Chair announces the name of the Member who made the second, and the vote is taken.

The Vote as specified in the SANBAG Bylaws.

- Each member of the Board of Directors shall have one vote. In the absence of the official representative, the alternate shall be entitled to vote. (Board of Directors only.)
- Voting may be either by voice or roll call vote. A roll call vote shall be conducted upon the demand of five official representatives present, or at the discretion of the presiding officer.

Amendment or Substitute Motion.

- Occasionally a Board Member offers a substitute motion before the vote on a previous motion. In instances where there is a motion and a second, the maker of the original motion is asked if he would like to amend his motion to include the substitution or withdraw the motion on the floor. If the maker of the original motion does not want to amend or withdraw, the substitute motion is not addressed until after a vote on the first motion.
- Occasionally, a motion dies for lack of a second.

Call for the Question.

- At times, a member of the Board/Committee may "Call for the Question."
- Upon a "Call for the Question," the Chair may order that the debate stop or may allow for limited further comment to provide clarity on the proceedings.
- Alternatively and at the Chair's discretion, the Chair may call for a vote of the Board/Committee to determine whether or not debate is stopped.
- The Chair re-states the motion before the Board/Committee and calls for the vote on the item.

The Chair.

- At all times, meetings are conducted in accordance with the Chair's direction.
- These general practices provide guidelines for orderly conduct.
- From time-to-time circumstances require deviation from general practice.
- Deviation from general practice is at the discretion of the Board/Committee Chair.

Courtesy and Decorum.

- These general practices provide for business of the Board/Committee to be conducted efficiently, fairly and with full participation.
- It is the responsibility of the Chair and Members to maintain common courtesy and decorum.

Adopted By SANBAG Board of Directors January 2008

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM 1

Date: June 10, 2009

Subject: Information Relative to Possible Conflict of Interest

Recommendation*: Note agenda items and contractors/subcontractors, which may require member abstentions due to possible conflicts of interest.

Background: In accordance with California Government Code 84308, members of the SANBAG Board may not participate in any action concerning a contract where they have received a campaign contribution of more than \$250 in the prior twelve months from an entity or individual, except for the initial award of a competitively bid public works contract. This agenda contains recommendations for action relative to the following contractors:

Item No.	Contract No.	Principals & Agents	Subcontractors
5	C08196-01	Paula Beauchamp <i>Paula Beauchamp</i>	None
8	P09224	G/M Business Interiors	

Financial Impact: This item has no direct impact on the SANBAG budget.

Reviewed By: This item is prepared monthly for review by SANBAG Board and Committee members.

*

Approved
Administrative Committee Meeting

Date: _____

Moved: _____ *Second:* _____

In Favor: _____ *Opposed:* _____ *Abstained:* _____

Witnessed: _____

ADMINISTRATIVE COMMITTEE ATTENDANCE RECORD – 2009

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Paul Biane Board of Supervisors	X	X		X	X							
Patrick Morris City of San Bernardino	X	X	X	X	X							
Mike Leonard City of Hesperia	X	X		X	X							
Bea Cortes City of Grand Terrace	X											
Patricia Gilbreath City of Redlands		X	X	X	X							
Paul Eaton City of Montclair	X	X	X		X							
Josie Gonzales Board of Supervisors												
Brad Mitzelfelt Board of Supervisors	X		X									
Gary Ovitt Board of Supervisors		X	X	X	X							
Dennis Yates City of Chino	X	X	X	X	X							
Gwenn Norton-Perry City of Chino Hills	X	X		X	X							
Rick Roelle Town of Apple Valley		X		X								

X = Member attended meeting.

Empty box = Member did not attend meeting

Crossed out box = Not a member at the time.

ADMINISTRATIVE COMMITTEE ATTENDANCE RECORD - 2008

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Paul Biane Board of Supervisors	X	X	X		X	X	X	X	X			
Robert Christman City of Loma Linda	X	X	X	X	X							
Patrick Morris City of San Bernardino								X	X	X		
Mike Leonard City of Hesperia	X	X	X	X	X	X		X		X	X	
Bea Cortes City of Grand Terrace	X	X		X	X	X		X	X	X	X	
Lawrence Dale City of Barstow	X	X	X		X	X	X	X	X	X		
Paul Eaton City of Montclair	X	X		X	X	X	X	X	X	X	X	
Josie Gonzales Board of Supervisors			X	X	X	X						
Dennis Hansberger Board of Supervisors	X	X	X			X						
Brad Mitzelfelt Board of Supervisors	X	X		X		X		X	X		X	
Gary Ovitt Board of Supervisors	X	X		X	X	X	X	X	X			
Dennis Yates City of Chino							X	X	X	X	X	
Gwenn Norton-Perry City of Chino Hills					X				X			
Rick Roelle Town of Apple Valley	X			X	X	X		X	X	X	X	

X = Member attended meeting. * = Alternate member attended meeting. Empty box = Member did not attend meeting. Crossed out box = Not a member at the time.

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 3

Date: June 10, 2009

Subject: Procurement Report for May 2009

Recommendation:* Receive Monthly Procurement Report.

Background: The Board of Directors approved the Contracting and Procurement Policy (Policy No. 11000) on January 3, 1997. The Executive Director, or designee, is authorized to approve Purchase Orders up to an amount of \$50,000. All procurements for supplies and services approved by the Executive Director, or his designee, in excess of \$5,000 shall be routinely reported to the Administrative Committee and to the Board of Directors.

Attached are the purchase orders in excess of \$5,000 to be reported to the Administrative Committee for the month of May 2009.

Financial Impact: This item imposes no impact on the FY 2008/2009 Budget. Presentation of the monthly procurement report will demonstrate compliance with the Contracting and Procurement Policy (Policy No. 11000).

Reviewed By: This item is scheduled for review by the Administrative Committee on June 10, 2009.

Responsible Staff: William Stawarski, Chief Financial Officer

Approved
Administrative Committee

Date: _____

Moved:

Second:

In Favor:

Opposed:

Abstained:

Witnessed: _____

PURCHASE ORDERS ISSUED FOR MAY 2009

	Vendor	Purpose	Sole Source Y/N	Amount
P09202	Kinder Morgan SFPP, LP	Design relocation of a 20" Kinder Morgan pipeline that is in conflict with the south abutment of the proposed Hunts Lane overpass	Yes – This is a utility company and it is their pipeline that needs to be moved	\$50,000.00
P09204	TH Enterprises, Inc.	Two year license renewals for SharePoint Portal Enterprise Client License Software Assurance and Office Professional Plus	No – Per Contract 05-034	\$11,752.45
P09207	Inland Empire Economic Recovery Corporation	IEERC Foreclosure Prevention Seminar Support	Yes – Specialized corporation formed for this purpose	\$50,000.00
P09211	TH Enterprises, Inc.	Purchase and setup of 14 workstations	No – Per Contract 05-034	\$23,511.20
			TOTAL PURCHASE ORDERS ISSUED	\$135,263.65

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 4

Date: June 10, 2009

Subject: 2009 Sales Tax Revenue Note 2008/2009 and 2009/2010 Budget Amendments

- Recommendation:***
1. Amend the 2008/2009 SANBAG Budget to reflect receipt of revenue in the amount of \$260,474,213.65 from the 2009 Sales Tax Revenue Note issuance.
 2. Amend the 2008/2009 SANBAG Budget to increase the budget for Task No. 94209000 – Financial Management, by \$1,416,001.92 from 2009 Sales Tax Revenue Note.
 3. Amend the 2009/2010 SANBAG Budget to change the funding source from Measure I Valley Major Projects funds to 2009 Sales Tax Revenue Note for the following tasks including encumbrances:
Task 82509000 – I-10 Corridor Project Development \$4,726,282
Task 82609000 – I-10/Cherry/Citrus Interchanges \$4,234,972
Task 86909000 – Glen Helen Parkway Grade Separation \$664,194
Task 87309000 – Valley Blvd. Grade Separation \$496,970
Task 87409000 – Palm Avenue Grade Separation \$340,860
Task 87509000 – Main Street Grade Separation \$308,126
Task 87609000 – So. Milliken Avenue Grade Separation \$703,371
Task 87709000 – Vineyard Avenue/UPRR Grade Separation \$711,856
Task 87809000 – Archibald Avenue Grade Separation \$707,671
Task 88009000 – I-15/I-215 Devore Interchange \$3,782,616

Approved
Administrative Committee

Date: _____

Moved:

Second:

In Favor:

Opposed:

Abstained:

Witnessed: _____

4. Retain the remaining proceeds from the 2009 Sales Tax Revenue Note in the amount of \$49,010,293.73 for capitalized interest and unallocated fund balance, pending further budget authorization.

Background:

SANBAG recently issued the 2009 Sales Tax Revenue Notes, Series A dated May 1, 2009 for \$250 million. The Notes were issued to provide temporary financing for several Measure I 2010-2040 projects. A portion of the proceeds were invested in State General Obligation Bonds to provide financing to the I-215 improvement project. The source and use of funds relating to the Notes as per the Official Statement are as follows:

Source of Funds

Revenue Note Proceeds	\$250,000,000.00
Revenue Note Premium	<u>10,474,213.65</u>
TOTAL SOURCE OF FUNDS	\$260,474,213.65

Use of Funds

Issuance Costs (Advisor, Counsel, Printing, Ratings, Trustee, Other)	\$ 500,000.00
Capital Projects	225,146,213.74
Underwriter Discount	809,001.92
Capitalized Interest	<u>34,018,997.99</u>
TOTAL USE OF FUNDS	\$260,474,213.65

The 2008/2009 and 2009/2010 Budgets need to be amended to reflect the receipt and budget authorization to use Note proceeds.

Task No. 94209000 needs to be amended and increased by \$1,416,001.92 to reflect the issuance costs of \$500,000 and underwriter discount of \$809,001.92 associated with the sale of the 2009 Sales Tax Revenue Note, and issuance costs of \$107,000 associated with the purchase of State G.O. Bonds.

The SANBAG Board previously authorized loans of Measure I Valley Major Project funds for project development work on certain Measure I 2010-2040 projects. The loans were to be repaid from future Measure I 2010-2040 tax revenue. The issuance of 2009 Sales Tax Revenue Notes (backed by Measure I 2010-2040) will allow for repayment of Measure I Valley Major Project fund loans and replacement of Measure I Valley Major Projects funds in the SANBAG 2009/2010 budget with Note proceeds on these projects. The 2009/2010 Budget needs to be amended to change the funding source for \$16,676,918 in budget authority to reflect the replacement of Valley Measure I Major Project funds with

Note proceeds for project Task Nos. 82509000, 82609000, 86909000, 87309000, 87409000, 87509000, 87609000, 87709000, 87809000 and 88009000.

Utilizing the Note proceeds on these Measure I 2010-2040 projects assists in meeting the expenditure requirements for tax exempt bond status. Please note, however, that a future loan of Valley Measure I 1990-2010 Major Projects funds may be required within the next couple of years if all advanced projects are delivered on schedule.

After the purchase of State G.O. Bonds and the aforementioned budget amendments, there will be a balance of \$49,010,293.73 of Note proceeds. The balance includes \$34,018,997.99 of capitalized interest to be paid at maturity. Two additional budget amendments will be presented to the Board for consideration in the near future. The first will amend the funding on the I-215 Corridor. The second will be the repayment of loaned Measure I Valley Major Projects funds for Measure I 2010-2040 projects. This repayment will occur once the audit is complete and the exact amount is known.

Financial Impact: The 2008/2009 Budget will be amended and increased by \$1,416,001.92 to reflect the issuance costs of the 2009 Sales Tax Revenue Notes and the State G.O. Bond purchase. The 2009/2010 Budget will be amended to change the funding source for \$16,676,918 to reflect the replacement of Valley Measure I Major Project funds with Note proceeds for certain projects.

Reviewed By: This item is scheduled for review by the Administrative Committee on June 10, 2009.

Responsible Staff: William Stawarski, Chief Financial Officer

Minute Action

AGENDA ITEM: 5

Date: June 10, 2009

Subject: Amend Employment Contract for Major Projects Special Assignments

Recommendation:* Approve Amendment No. 1 to Contract No. C08196 with Paula Beauchamp for management of Major Project's special assignments, to increase the amount by \$226,000 for a new not to exceed total of \$450,000.

Background: On July 2, 2008 the Board approved a contract with Paula Beauchamp. The contract is to perform services for the Freeway Construction department related to the management of the capital projects, the alternative financing study, and management of the Major Projects Program Management consultant procurement. When the contract was entered into, it was anticipated that Ms. Beauchamp's services would require her to work approximately half time through June 2010. The effort required managing the projects, the study and the procurement has required Paula to provide services on almost a full time basis. Therefore, it is necessary to increase the contract by \$226,000 for a not to exceed amount of the contract to \$450,000.

Paula has been a great asset to SANBAG over the last year. Her accomplishments over the last year include leading the completion of the Plan, Specifications, and Estimate package to allow the construction advertisement of the remaining I-215 segments, overseeing the development of the I-10 interchange projects, and completing the Major Projects Program Management consultant procurement. Her experience and knowledge will be a huge benefit to

Approved
Administrative Committee

Date: June 10, 2009

Moved: Second:

In Favor: Opposed: Abstained:

Witnessed: _____

Administrative Committee Item

June 10, 2009

Page 2

SANBAG in the coming year as the development continues on the projects, in particular the Proposition 1B projects, and preparation of the 10 Year Delivery Plan.

Financial Impact: Item is consistent with Fiscal Year 2009/2010 budget. TN 815, 825, 826, 836, 838, 841, 862, 880.

Reviewed By: This item is scheduled for review by the Administrative Committee on June 10, 2009. SANBAG Counsel has reviewed and approved the amendment as to form.

Responsible Staff: Garry Cohoe

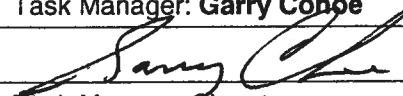
SANBAG Contract No. C08196-01
by and between
San Bernardino Associated Governments
and
Paula Beauchamp
for
Management of Major Projects Special Assignments

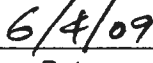
FOR ACCOUNTING PURPOSES ONLY				
<input checked="" type="checkbox"/> Payable <input type="checkbox"/> Receivable	Vendor Contract # _____ Vendor ID _____	Retention: <input type="checkbox"/> Yes _____ % <input type="checkbox"/> No	<input type="checkbox"/> Original <input type="checkbox"/> Amendment	
Notes:				
Original Contract: \$ <u>224,000</u> Contingency Amount: \$ _____		Previous Amendments Total: \$ _____ Previous Amendments Contingency Total: \$ _____ Current Amendment: \$ <u>226,000</u> Current Amendment Contingency: \$ _____		
Contingency Amount requires specific authorization by Task Manager prior to release.				
Contract TOTAL →				\$ <u>450,000</u>
↓ Please include funding allocation for the original contract or the amendment.				
Task	Cost Code	Funding Sources	Grant ID	Amounts
<u>815</u>	<u>5553</u>	<u>Measure I Major Proj</u>	_____	\$ <u>50,000</u>
<u>825</u>	<u>5553</u>	<u>Measure I Major Proj</u>	_____	\$ <u>30,000</u>
<u>826</u>	<u>5553</u>	<u>Measure I Major Proj</u>	_____	\$ <u>30,000</u>
<u>836</u>	<u>5553</u>	<u>Measure I Major Proj</u>	_____	\$ <u>20,000</u>
<u>838</u>	<u>5553</u>	<u>Measure I Major Proj</u>	_____	\$ <u>30,000</u>
<u>841</u>	<u>5553</u>	<u>Measure I Major Proj</u>	_____	\$ <u>10,000</u>
<u>862</u>	<u>5553</u>	<u>Measure I Major Proj</u>	_____	\$ <u>30,000</u>
<u>880</u>	<u>5553</u>	<u>Measure I Major Proj</u>	_____	\$ <u>26,000</u>
Original Board Approved Contract Date: <u>7/2/08</u> Contract Start: <u>7/5/08</u> Contract End: <u>6/30/10</u> New Amend. Approval (Board) Date: _____ Amend. Start: _____ Amend. End: _____				
If this is a multi-year contract/amendment, please allocate budget authority among approved budget authority and future fiscal year(s)-unbudgeted obligations:				
Approved Budget Authority →	Fiscal Year: <u>08/09</u> \$ <u>226,000</u>		Future Fiscal Year(s) – Unbudgeted Obligation →	\$ _____
Is this consistent with the adopted budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, which Task includes budget authority? <u>85009000</u> If no, has the budget amendment been submitted? <input type="checkbox"/> Yes <input type="checkbox"/> No				
CONTRACT MANAGEMENT				
Please mark an "X" next to all that apply:				
<input type="checkbox"/> Intergovernmental	<input checked="" type="checkbox"/> Private	<input type="checkbox"/> Non-Local	<input type="checkbox"/> Local	<input type="checkbox"/> Partly Local

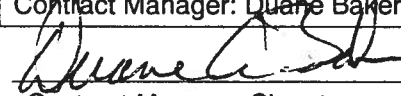
Disadvantaged Business Enterprise: ☐ No ☐ Yes _____%

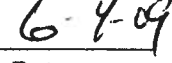
Task Manager: **Garry Cohoe**

Contract Manager: **Duane Baker**


Task Manager Signature


Date


Contract Manager Signature


Date

Chief Financial Officer Signature _____ Date _____

AMENDMENT NO. 1
CONTRACT NO.C08196

By and between
San Bernardino Associated Governments
and
Paula Beauchamp
for
Management of Major Projects Special Assignments

THIS AMENDMENT No. 1 to SANBAG Contract No. C08196 is entered into in the State of California by and between San Bernardino Associated Governments, hereinafter called SANBAG, and Paula Beauchamp, hereinafter called Contractor.

IT IS HEREBY AGREED AS FOLLOWS:

WHEREAS, SANBAG under Contract No. C08196 has engaged the services of Contractor on the terms and conditions set forth in the Agreement, and

WHEREAS, the Parties desire to amend the aforesaid contract to increase the contract amount.

NOW, THEREFORE, the parties hereto do mutually agree to amend Contract No. C08196 as follows:

1. The not-to-exceed cost of Contract No. C08196 shall be increased by \$226,000 for a not-to-exceed total contract amount of \$450,000.
2. All other provisions of Contract No. C08196 shall remain in full force and effect.

SAN BERNARDINO
ASSOCIATED GOVERNMENTS

By: _____
Paul Eaton
SANBAG Board President

Date: _____

By: _____
Jean-Rene Basle
SANBAG Counsel

Date: _____

PAULA BEAUCHAMP

By: _____
Paula Beauchamp

Date: _____

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 6

Date: June 10, 2009

Subject: Changes to Policy 10111, Work Requirements, Leaves, and Absences

Recommendation:* Approve changes to Policy 10111 to incorporate Military Family Medical Leave Entitlements. These are new military family leave entitlements enacted under the National Defense Authorization Act for FY 2008 and became effective January 16, 2009.

Background: SANBAG Policy 10111, Work Requirements, Leaves, and Absences, contains provisions for SANBAG employees on military leave. This policy needs to be updated to comply with the new military family leave entitlements enacted under the National Defense Authorization Act for FY 2008. The proposed modifications are bolded in the attached excerpt from the policy. The definition for Family Medical Leave Act has been revised accordingly. Paragraph XII.G describes the new military family leave entitlements.

For clarification, the method for calculating leave time (rolling 12-month calendar) has also been added.

At this time, SANBAG would also like to incorporate the following two changes to clarify vacation leave: 1) the vacation leave table, Table 1; and 2) the vacation accrual rate when credit for prior public service is authorized by the Executive Director. The proposed modifications are bolded in the attached excerpt from SANBAG Policy 10111.

Approved
Administrative Committee

Date: _____

Moved: _____ *Second:* _____

In Favor: _____ *Opposed:* _____ *Abstained:* _____

Witnessed: _____

The first change replaces “pay periods” with “service hours” since service hours are used to calculate when an employee moves up to the next level of vacation allowance.

The policy currently states “The Executive Director is authorized to credit new employees with prior public service based upon previous employment for purposes of setting the vacation accrual rate.” The second change provides clarification for this to ensure the employee must meet the designated length of service to be eligible for the next accrual rate.

Financial Impact: This item has no financial impact.

Reviewed By: This item is scheduled for review by the Administrative Committee on June 10, 2009 and has been reviewed by SANBAG Counsel.

Responsible Staff: Duane A. Baker, Director of Management Services

Administrative Committee Agenda Item

Page 3

May 13, 2009

San Bernardino Associated Governments	Policy	10111
Adopted by the Board of Directors April 3, 1991	Revised	Draft 6/10/09 11/5/08
Work Requirements, Leaves, and Absences	Revision No.	11 10

IV. DEFINITIONS

Family Medical Leave Act (FMLA): The Federal law governing employees right of unpaid leave of absence to bond with new child, care for an immediate family member with a serious health condition, to obtain treatment and otherwise recover from an employee's own serious health condition, **for military family leave for the care of a covered servicemember with a serious injury or illness, or due to a qualifying exigency arising out of the fact that the employee's spouse, child, or parent has been called up to active duty.**

The FMLA also guarantees continuance of health care benefits during FMLA leave, if health care coverage is a benefit granted to the employee. The Act also guarantees return to work status to the employee to the same or similar position.

VI. VACATION LEAVE

Employees in regular full-time positions accrue vacation leave as listed in Table 1. Part-time regular employees accrue vacation leave at a pro-rated rate depending on hours worked.

Vacation Leave, Table 1

Length of Service from Benefit Date	Full Time	
	Annual Vacation Allowance	Maximum Unused Balance Allowed
- From start of hire through year four - Pay periods 1 to 104 (from 0 to 8,320 service hours)	80 hours	160 hours
- From year five through year 9 - Pay periods 104 to 234 (from over 8,320 to 18,720 service hours)	120 hours	240 hours
- Greater than nine years - Pay periods over 234 (over 18,720 service hours)	160 hours	320 hours

D. The Executive Director is authorized to credit new employees with prior public service based upon previous employment for purposes of setting the vacation accrual rate. The Executive Director is also authorized to credit new employees for contract service with the SANBAG for the purpose of establishing vacation accrual rate.

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ISF09

However, credit for prior service and approval of an accrual rate which recognizes prior employment will not affect the requirement for specified years of SANBAG service prior to elevation to the next higher accrual rate. For example, if a new employee was credited with five years of prior public service, the individual would be eligible for the 120 hours accrual rate, but the individual would not be eligible for the 160 hours accrual rate until actually having completed greater than 9 years of service with SANBAG.

XII. FAMILY MEDICAL LEAVE

SANBAG employees employed for at least 12 months and who have worked 1,250 hours preceding the requested leave are eligible for unpaid leave under the Family Medical Leave Act (FMLA) and California Family Rights Act (CFRA). **FMLA provides that such leave be taken for a period not to exceed a total of 12 weeks in a rolling 12-month period, or 26 weeks in a rolling 12-month period in the case of leave for the care of a covered servicemember with a serious injury or illness.** In calculating hours worked for the purposes of FMLA, only service hours are used (refer to Policy 10107 for definition of service hours).

C. Only the time actually taken as FMLA, CFRA, and/or PDL leave may be charged against the employee's maximum FMLA leave as it applies to the **rolling 12-month period.**

G. Military Family Leave Entitlements. Eligible employees with a spouse, son or daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

XVIII. REVISION HISTORY

Revision No.	Revisions	Adopted
11	<p>Par. IV.DEFINITIONS: Revised definition of FMLA to include new military family leave entitlement.</p> <p>Par. VI: Table 1, Vacation Leave – revised to replace pay periods with service hour levels, for clarification.</p> <p>Par. VI.D: Added paragraph to clarify the vacation accrual rate when credit for prior public service is authorized by the Executive Director – “credit for prior service and approval of an accrual rate which recognizes prior employment will not affect the requirement for specified years of SANBAG service prior to elevation to the next higher accrual rate.”</p> <p>Par. XII.FAMILY MEDICAL LEAVE: Revised to add second sentence on “rolling 12-month period.</p> <p>Par. XII.G: Added new paragraph on Military Family Leave Entitlement. These are new military family leave entitlements enacted (effective January 16, 2009) under the National Defense Authorization Act for FY 2008.</p>	

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 7

Date: June 10, 2009

Subject: Wage and Benefits Continuation for Full-Time SANBAG Employees Called to Active Military Duty

Recommendation:* Review the information provided as requested and provide direction to staff.

Background: During the May 13, 2009 Administrative Committee meeting, the subject of wage continuation for military reserve members called for active duty came up during discussion of changes to SANBAG policy to incorporate changes to the federal Military Family Medical Leave Entitlements. At that time staff was directed to research policies in other communities and bring that information back to the Committee.

Currently, SANBAG provides for 30 days of paid military leave each fiscal year. This leave can be used for any member of the reserve corps of the Armed Services or the National Guard called for temporary or active duty. Temporary duty is service or training lasting less than 180 days and active duty is service lasting longer than 180 days. SANBAG's policy is consistent with state and federal law.

Policies that provide for wage continuation beyond 30 days are in excess of state and federal law. The typical policy in place in those agencies that provide this benefit is to provide the difference between an employee's military pay and their base salary with the agency. Typically this pay differential is limited to 365 calendar days of service.

*

*Approved
Administrative Committee*

Date: _____

Moved: _____ *Second:* _____

In Favor: _____ *Opposed:* _____ *Abstained:* _____

Witnessed: _____

The policy would go into effect when an employee who is a member of the Armed Services Reserve or National Guard is called to active duty by the President of the United States in time of war, armed conflict, United Nation's Resolution, or imminent danger. The employee would receive their full pay for the first 30 calendar days under the existing federal and state laws. After that first 30 calendar days, the employee would receive the difference between their military pay (including wages, salary, specialty assignment, housing subsidy or any other form of compensation) and their base salary with the agency. These payments would not continue beyond 365 calendar days. The agency would also continue to contribute towards the medical and dental benefits of the employee. During the period of military service the medical and dental plans provided by the military for the employee and dependents would be the primary payer.

The implications to SANBAG are financial. In addition to the cost of providing the wage continuation itself, SANBAG would also have to pay for a replacement of the military service member while they are on duty. SANBAG is a very small organization and the extended absence of any of our employees requires that a replacement be used to insure that our work can continue.

Currently, SANBAG has only one employee serving in the reserves. The total cost for this policy can't be known until such time as it is needed. Though SANBAG has only one employee currently in the reserves, there is no way to know with certainty if other employees will be eligible in the future. In general, between the pay differential, benefit continuation and replacement salary costs the amount for each employee covered by this policy would exceed \$100,000 with some substantially more and some a little less.

Financial Impact: If the Board ultimately adopts a wage and benefit continuation policy, SANBAG could experience costs in excess of \$100,000 though the exact amount of any financial impact can't be known until the time the policy is activated. Factors influencing the financial impact would be the number of employees covered, the military rank and SANBAG salary of the employee, and the length of active duty.

Reviewed By: This item will be reviewed by the Administrative Committee on June 10, 2009.

Responsible Staff: Duane A. Baker, Director of Management Services

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 8

Date: June 10, 2009

Subject: Purchase of Modular Workstations for SANBAG Offices

Recommendation:* Approve Purchase Order No. P09224 with G/M Business Interiors for an amount not to exceed \$80,000 for modular workstations for positions authorized in previous budgets.

Background: When SANBAG moved into the Santa Fe Depot in June of 2004, as much of the existing furniture as possible was utilized to limit expenditures for new furnishings. The SANBAG 2008/2009 budget authorized the hiring of new positions to help manage freeway construction and implement Measure I 2010-2040. Those positions are now being recruited and it is time to provide work space. The estimated time of delivery for new furniture is approximately eight weeks.

The addition of the new positions requires that SANBAG purchase additional modular office furniture. This item seeks approval of a purchase order for purchase and installation of modular workstations for professional/administrative personnel in an amount not to exceed \$80,000. At the time of printing of this item, the furniture vendor had not completed design specifications for the new units. However, due to the amount of time required for delivery of new furniture, staff is seeking approval for an amount not to exceed the budget estimated by the vendor.

*

Approved
Administrative Committee

Date: _____

Moved: _____ *Second:* _____

In Favor: _____ *Opposed:* _____ *Abstained:* _____

Witnessed: _____

The purchase order will provide for relocation of some existing workstations to be used within the SANBAG offices and six new workstations. This work will not only provide workspace for the new staff, it will allow us to better organize the existing staff to consolidate some work groups in the same area of the building. The workstations have been designed at the same grade as other existing administrative/professional workstations in the SANBAG offices.

This purchase order is with GM Interiors, which is a firm on the San Bernardino County approved vendor list. SANBAG can utilize the approved vendor status of GM Interiors and take advantage of the substantial discount rates negotiated through the County contract.

Financial Impact: The estimated financial impact of this item is \$80,000. There is sufficient fund balance in the SANBAG Fiscal Year 2008/2009 budget, Task No. ISF09 to cover this item.

Reviewed By: This item will be reviewed by the Administrative Committee on June 10, 2009.

Responsible Staff: Duane A. Baker, Director of Management Services

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 9

Date: June 10, 2009

Subject: Request for Proposal for SANBAG's State Advocacy Services

Recommendation:* Approve the release of a Request for Proposal (RFP) 09-223 for State Advocacy Services to be provided from October 2009 through September 2014.

Background: In September 2008, SANBAG approved a contract extension for State Advocacy Services, which expires on September 30, 2009. According to SANBAG policy, it is customary to open up a competitive bidding process at the end of a contract extension. Subject to approval by the SANBAG Board, staff suggests the following tentative timeline:

Administrative Committee Review of RFP	June 10, 2009
Board Approval	July 1, 2009
Release of RFQ	July 1, 2009
Proposal Due Date	July 24, 2009
Interviews/Evaluation by Selection Committee	Week of July 27, 2009
Recommendation Submitted to the Administrative Committee	August 5, 2009
Board Approval	September 2, 2009

The proposed RFP is provided as Attachment No. 1 to this agenda item, which includes a more detailed RFP schedule.

*

Approved
Administrative Committee

Date: _____

Moved: _____ *Second:* _____

In Favor: _____ *Opposed:* _____ *Abstained:* _____

Witnessed: _____

Administrative Committee Agenda Item

June 10, 2009

Page 2

Upon Board approval of the RFP, SANBAG staff will (1) post and disseminate the RFP; (2) organize a selection committee; and (3) report back to the Board with a recommended contract award.

The RFP will be posted to the SANBAG Web site and will be disseminated to a list of known state transportation advocacy firms.

Consistent with SANBAG policy, staff will form a selection committee that is composed of government affairs staff from Southern California transportation agencies, the SANBAG Executive Director, SANBAG Director of Intergovernmental and Legislative Affairs and one additional SANBAG Director if deemed necessary. SANBAG's Board president will also have the option to participate if desired.

To coincide with the state legislative schedules, the recommended contract duration is for the remainder of the current two year legislative session (2009-2010) and the subsequent two, two-year legislative sessions (2011-2012 and 2013-2014). The contract duration also coincides with the schedule by which funding is scheduled to be appropriated for Proposition 1B projects.

Financial Impact: SANBAG has budgeted for State advocacy services contracts in the 2009-2010 Fiscal Year Budget.

Reviewed By: This item is scheduled for review by the Administrative Committee on June 10, 2009. Legal will review as to form.

Responsible Staff: Jennifer Franco, Director Intergovernmental and Legislative Affairs.

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SAN BERNARDINO ASSOCIATED GOVERNMENTS

REQUEST FOR PROPOSALS RFP 09-223 STATE ADVOCACY SERVICES

Proposals Due: 4:00 p.m., July 24, 2009

RFP 09-223

SANBAG STATE ADVOCACY SERVICES

INTRODUCTION

The San Bernardino Associated Governments (SANBAG) is a Council of Governments and a county transportation planning agency, governed by the mayors of twenty-four cities and the five members of the Board of Supervisors within San Bernardino County.

This Request for Proposal (RFP) describes SANBAG's needs for state advocacy services. It is organized into the following sections:

- 1.0 Background
- 2.0 Proposed RFP Schedule
- 3.0 Examination of RFP Documents
- 4.0 Interpretation of RFP Documents
- 5.0 Notice of Intent and Q&A Process
- 6.0 Scope of Work
- 7.0 Components of Proposed RFP
- 8.0 Submittal of Proposals
- 9.0 Modification and Alternative Proposals
- 10.0 Signing of Proposal/Authorization to Negotiate
- 11.0 Withdrawal of Proposals
- 12.0 Evaluation Criteria
- 13.0 Evaluation Process
- 14.0 SANBAG Rights
- 15.0 Protests
- Attachment 1 – Sample Letter of Intent
- Attachment 2 – Draft Contract
- Attachment 3 – Scope of Work

1.0 BACKGROUND

SANBAG provides short- and long-term planning services relating to transportation, air quality, congestion management, and freeway call boxes. In the future, SANBAG will be expanding its Council of Government role to extend to regional issues, not necessarily associated with transportation. With regards to funding, SANBAG allocates Local Transportation Funds and the State Transit Assistance Funds provided for support of public transit and local streets. SANBAG is also responsible for the administration of San Bernardino County Measure I, the voter-approved half cent transportation transactions and use taxes which will have generated approximately 1.6 billion dollars through the year 2009 for funding major freeway construction, commuter rail services,

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local street and road improvements, specialized transit service for the elderly and persons with disabilities population and traffic management and environmental enhancement efforts.

SANBAG will make every effort to administer the proposal process in accordance with terms and dates outlined in this RFP; however, reserves the right to modify the activities, timeline and any other aspect of the process at any time it is deemed necessary. By requesting proposals SANBAG is in no way obligated to award a contract or pay the expenses of proposing firms in connection with the preparation or submission of a proposal.

The awarding of a contract shall be contingent upon the availability of funds and staff and board approvals. The decision to award any contract to a particular firm shall be based on the criteria listed in this RFP and any other pertinent factors that may come to the attention of the evaluators. No single factor will determine the final award decision.

2.0 PROPOSED RFP SCHEDULE

Action Item	Deadline
Release of Request for Proposal	July 1, 2009
Notice of Intent and Questions from Firms	July 15, 2009 no later than 4:00 p.m.
Amendments to RFP (if any) emailed to Prospective Proposers	July 17, 2009
Proposals Due to SANBAG Cost Proposals to be mailed separately	July 24, 2009, no later than 4:00 p.m.
Proposer Interviews	Week of July 27, 2009
Recommend Contract Award to SANBAG Administrative Committee	August 5, 2009
SANBAG Board Award of Contract	September 2, 2009

3.0 EXAMINATION OF RFP DOCUMENTS

The Proposer shall be solely responsible for examining, with appropriate care, the RFP documents, including any Addenda issued during the proposal period, and for informing itself with respect to any and all conditions which may in any way affect the amount or nature of proposal, or the performance of the work in the event Proposer is selected. Failure of the Proposer to so examine and inform itself shall be at its sole risk and no relief for error or omission will be given.

4.0 INTERPRETATION OF RFP DOCUMENTS

The Proposer may request of SANBAG in writing, prior to submission of proposal, clarification or interpretation of the RFP documents as described in Section 4.0. Where such interpretation or clarification requires a change in the RFP documents, SANBAG will issue an Addendum. Proposer shall acknowledge receipt of any and all Addenda in its Proposal Letter. SANBAG shall not be bound by and Proposer shall not rely on any oral interpretation or clarification of the RFP documents.

5.0 NOTICE OF INTENT AND Q&A PROCESS

- a. The Proposer shall submit a notice of intent that an RFP will be submitted by the given deadline. Notices of Intent shall be submitted in writing by July 15, 2009, no later than 4:00 p.m.
- b. The name of your firm, the primary contact, your phone, fax and email are required in this correspondence (please refer to Attachment 1 for a sample). If you do not submit this information and your intention to SANBAG by the deadline, you will not receive any further updates and your proposal will not be accepted.
- c. The notice of intent does not hold Proposers to submit an RFP.
- d. Questions or clarifications on the RFP may be submitted in writing until 4:00 p.m. on July 15, 2009. Proposer questions received by SANBAG after 4:00 p.m. on July 15, 2009 WILL NOT be acknowledged or answered.
- e. By July 17, 2009, responses, if any, to submitted written questions will be made in writing and distributed via email to those Proposers who submitted in writing to SANBAG that they intended to submit a proposal.
- f. Responses to the requests for clarifications and or any amendments to the RFP shall be emailed to the Prospective Proposers on July 17, 2006.
- g. Responses, clarifications and amendments (if any) will only be provided to Proposers who submitted their names to SANBAG as described in Paragraph 5.0, Sections a, b and d.

- h. Questions regarding the content, intent or procedural matters of this RFP should be addressed to:

Jennifer Franco
Director of Intergovernmental and Legislative Affairs
San Bernardino Associated Governments (SANBAG)
1170 W. 3rd Street, 2nd Floor. San Bernardino, CA 92401-1421
Phone: 909-884-8276 x 121 FAX: 909-885-4407
E-mail jfranco@sanbag.ca.gov

Please note: Except for Jennifer Franco, potential Proposers should **NOT** contact SANBAG Board Members, SANBAG Board Member's staff, and/or SANBAG staff, regarding any aspect of this RFP. It is intended that the selection of a Firm shall be made on merit alone, based on the processes and criteria set forth in the RFP. Violation of this condition shall, at SANBAG's sole discretion, be cause for immediate disqualification of a Proposer's proposal.

6.0 SCOPE OF WORK

6.1 Overall Goal

Successfully achieve the intended results of the San Bernardino Associated Governments (SANBAG) State Legislative Program. Continue to establish and maintain positive working relationships with the San Bernardino County Legislative delegation and administration staff. To best assure continuity of service, SANBAG seeks a five year contract.

6.2 Required Tasks/Activities

Tasks will include, but not be limited to the following:

- a. Seek out and identify legislation and/or amendments to legislation that coincide with the SANBAG Legislative Work Program.
- b. Routinely communicate with delegation members, and members of related Assembly and Senate committees on legislation sponsored by SANBAG positions adopted in response to specific legislative or budget proposals. This may occur through both written and oral communication.
- c. Provide information, copies of introduced legislation, relevant testimony and any analysis of legislation relative to SANBAG. Such information shall be provided to the Director of Intergovernmental and Legislative Affairs unless otherwise directed.

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- d. Coordination of advocacy efforts that may include testimony by the selected firm's representatives, and/or SANBAG Board member and/or staff.
- e. Advise and assist SANBAG in developing strategy on legislation, regulations and actions contemplated at any government level.
- f. Forward, as directed, newspaper clippings, copies of e-newsletters and/or magazine articles pertaining to the political climate, political issues or legislative issues as deemed necessary and that are pertinent to SANBAG's Legislative Work Program.
- g. Assist SANBAG executive staff and board members with planning and scheduling meetings in Sacramento, including the coordination of communications and visits with the Legislature, members of the Governor's Administration and agency staff.
- h. Provide a written monthly update to the SANBAG Board of Directors which summarizes the firm's most recent efforts on behalf of SANBAG, including but not limited to: testimony before committee, individual meetings with members of the Legislature and written correspondence on behalf of SANBAG. This report shall also contain any relevant information regarding legislative activities/progress on moving legislation, adopting a budget, and general activities or action of state government that could impact SANBAG's interests.
- i. Attend at least one regular board meeting, but no more than three, per year to report on legislative activities. Additional requests may be made by SANBAG as necessary. Visits to SANBAG shall be compensated as outlined in the contract.
- j. Provide an annual end-of-year report to summarize activities throughout the year, accomplishments and ideas for further consideration.
- k. Assist with other activities as requested.

7.0 COMPONENTS OF A PROPOSED RFP

Proposals shall be comprised of the following:

- a. General Guidance – Proposals shall be prepared on bound 8-1/2" x 11" paper, stapled, double-sided with no color (black print only). Proposals should not exceed fifty (50) pages in length, excluding any appendices.
- b. Proposal Transmittal Letter – Not to exceed two pages and identifying the individual responsible for committing the firm.

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- c. Proposed Scope of Work in Response to the RFP – Scope shall address the firm's understanding of the work to be performed, including identification of specific tasks, timelines and work effort (personnel hours by task). Proposing firms are encouraged to identify opportunities to perform the work in the most cost effective manner.
- d. Qualifications of the Firm(s) – Experience of the firm in conducting similar type studies within the past five years. This section should be limited to no more than 15 pages. If subcontractors are to be used, provide brief statements of similar type work performed within the past five years.
- e. Qualifications of Proposed Staff – Include a brief resume of proposed staff accompanied with the identification of similar work the proposed staff has participated in within the past five years. The same information should be provided for any subcontractors.
- f. Project Management – Provide an explanation of the project management system and practices used to assure that the project is completed within the scheduled timeframe and that the quality of the products will meet SANBAG's requirements.
- g. References – Provide at least three references for whom the firms have provided similar work within the past five years. Client contact person name, with address and telephone number are to be provided. References for subcontractors shall also be provided.
- h. Cost Proposal – Proposing firms are to prepare a cost proposal that includes a breakdown of expenses by proposed task. The cost proposal shall include all items that will be charged to SANBAG, including travel and other direct charges that will be involved in the project. Costs shall be segregated to show staff hours, rates and classification and administrative overhead. Cost information shall be totaled to show the cost breakdown per contract year.

Cost proposals must be submitted in a separate sealed envelope no later than 4:00 p.m. PST on Friday, July 24, 2009.

8.0 SUBMITTAL OF PROPOSALS

Interested firms may submit a proposal for state advocacy services. Proposing firms are to submit one original and five (5) copies of their proposal by 4:00 p.m., Friday, July 24, 2009. Proposals shall be addressed as follows:

San Bernardino Associated Governments
Attn: Jennifer Franco, Director of Intergovernmental and Legislative Affairs
1170 W. 3rd Street, 2nd Floor
San Bernardino, CA. 92410-1715
(909) 884-8276

9.0 MODIFICATION AND ALTERNATIVE PROPOSALS

Proposer shall submit a proposal in strict conformity with the requirements of the RFP documents. The proposal shall be complete in itself and shall be submitted within a sealed enclosure in accordance with Section 8.0 instruction herein.

Unauthorized conditions, limitations or provisions attached to a proposal may render it invalid and cause its rejection. Alternative proposals will not be considered unless specifically requested. Oral, telegraphic or telephonic proposals or modifications will not be considered.

10.0 SIGNING OF PROPOSAL/AUTHORIZATION TO NEGOTIATE

Each proposal submitted by Proposer shall be executed by Proposer or by its authorized representative. In addition, Proposer must identify in its Letter of Intent, those persons authorized to negotiate on its behalf with SANBAG in connection with this RFP.

11.0 WITHDRAWAL OF PROPOSALS

A proposal may be withdrawn by the Proposer by means of a written request signed by the Proposer or its properly authorized representative. Such written requests must be delivered to SANBAG's office prior to the date and time for submittal of proposals.

12.0 EVALUATION CRITERIA

- a. The primary basis for evaluation will be the qualification of the firm and the firm's understanding of the work required based on the Scope of Services described in this RFP.

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- b. To assist in the evaluators' understanding of the firm's qualifications and understanding of the work performed, proposers are requested to respond to the following:
1. List all state legislators in general as well as those on key transportation, housing, environmental quality and regional planning related committees with whom your firm has worked closely in the past two (2) years;
 2. List all clients you presently represent on transportation, housing, regional environmental quality and/or regional planning matters, and for each indicate whether or not you feel there could be a conflict of interest;
 3. Describe your firm's familiarity with transportation finance, transportation planning, transit, commuter rail and other areas of SANBAG interest;
 4. Describe the resources (staff and other means) your firm has to perform the scope of services;
 5. Describe how your firm would approach the scope of services described in this RFP;
 6. List any political affiliations or professional associations the firm has.
 7. Describe the relevant education and experience of key staff to be assigned to this contract;
 8. Outline the availability of each key staff, in approximate hours per month, to work on SANBAG;
 9. For each key staff to be assigned to SANBAG work, please list three client references with their telephone numbers.
- c. Proposals will be reviewed by a staff evaluation committee composed of the SANBAG Executive Director, the SANBAG Director of Intergovernmental and Legislative Affairs and legislative affairs staff from transportation entities in the region. The charge of the selection committee will be to review every proposal, based on the criteria described in this RFP. Following its evaluation, the committee shall develop a short-list (2-4) firms for review and development of a final recommendation.

- d. Members of the selection committee will be coordinated by the SANBAG Director of Intergovernmental and Legislative Affairs. The SANBAG President and the Director of Intergovernmental and Legislative Affairs will participate in deliberations, but not vote. The recommendation resulting from the selection committee's review of received proposals shall be considered by the SANBAG boards for ultimate approval or rejection.

13.0 EVALUATION PROCESS

13.1 Scoring

The evaluation scoring will be based on (1) qualification of the firm; (2) work program; (3) cost; and (4) past experience.

- a. **Qualifications of the Firm**
Technical experience in performing work of a closely similar nature; experience working with public agencies; strength and stability of the firm; review of client references and their experiences.
- b. **Staffing and Project Organization**
Qualifications of project staff, particularly key personnel; key personnel's level of involvement in performing related work cited in "Qualifications of the Firm" section; logic of project organization; adequacy of labor commitment; concurrence in the restrictions on changes in key personnel.
- c. **Work Plan**
Depth of Proposer's understanding of SANBAG's requirements and overall quality of work plan; logic, clarity and specificity of work plan; appropriateness of labor distribution among the tasks; ability to meet the implementation schedule.
- d. **Cost and Price**
Reasonableness of the total price and competitiveness of this amount with other proposals received; adequacy of data in support of figures quoted; basis on which prices are quoted.
- e. **Completeness of Response**
Completeness of response in accordance with RFP instructions; exceptions to or deviations from the RFP requirements that the SANBAG cannot or will not accommodate; other relevant factors not considered elsewhere.

13.2 RFP Review

The selection committee will review proposals received in accordance with the above criteria. The evaluators in applying the major criteria to the proposals may consider additional sub-criteria beyond those listed. During the evaluation period, SANBAG may conduct interviews with some or all of the proposing firms. Interviews are tentatively scheduled for the week of July 27, 2006 at the SANBAG offices.

13.3 Award

The selection committee will review the proposals received and will submit, with approval of a SANBAG Policy Committee, the proposal considered to be the most competitive to SANBAG's Board for consideration and selection. The selection committee may also negotiate contract terms with the selected Proposer prior to award, and expressly reserves the right to negotiate with several Proposers simultaneously and, thereafter, to award a contract that best meets the needs of SANBAG.

Negotiations may or may not be conducted with Proposers; therefore, the proposal submitted should contain Proposer's most favorable terms and conditions, since the selection and award may be made without discussion with any Proposer.

13.4 Basis of Award

Any contract resulting from this RFP will be awarded based upon demonstrated competence and on the professional qualifications and capabilities necessary for the performance of services required at a fair and reasonable price to SANBAG.

13.5 Type of Contract to Award

SANBAG intends to award a Fixed Price contract. Under no circumstances will the Not-to-Exceed price be exceeded without the express written consent of SANBAG. The contract will be for four years of service and may include a two-year option at its conclusion.

14.0 SANBAG RIGHTS

SANBAG may investigate the qualifications of any Proposer under consideration, require confirmation of information furnished by a Proposer, and require additional evidence of qualifications to perform the Scope of Services described in this RFP. SANBAG reserves the right to:

1. Reject any or all of the proposals for any reason.
2. Issue subsequent Requests for Proposals.
3. Cancel the entire Request for Proposal.
4. Remedy or overlook technical errors in the Request for Proposal process.
5. Create a selection committee to review proposals.
6. Seek the assistance of outside technical experts in proposal evaluation.
7. Approve or disapprove the use of particular subcontractors.
8. Establish a short list of Proposers eligible for discussions after review of written proposals.
9. Negotiate with any, all, or none of the respondents to the RFP.
10. Solicit best and final offers from all or some of the Proposers.
11. Award a contract to one or more Proposers.
12. Accept other than the lowest monetary offer.
13. Waive informalities and minor irregularities in proposals.

This RFP does not commit SANBAG to enter into a contract, nor does it obligate SANBAG to pay for any costs incurred in preparation and submission of proposals or in anticipation of a contract.

16.0 PROTESTS

Proposers may protest the recommended award made by SANBAG, provided the protest is in writing, contains the title of the RFP, is delivered to SANBAG, and is submitted within ten (10) calendar days of the date on the notification of intent to award by the SANBAG Board of Directors. Grounds for a protest are that SANBAG failed to follow the selection procedures and adhered to requirements specified in the RFP or any addenda or amendments; there has been a violation of conflict of interest as provided by California Government Code Section 87100 et seq.; or there has been a violation of State or Federal law. Protests will not be accepted on any other grounds. In event of a protest, all protests will be handled by a panel designated by the SANBAG Executive Director, or his/her designee.

SANBAG will consider only those specific issues addressed in the written protest. A written response by SANBAG will be directed to the protesting Proposer within fourteen (14) calendar days of receipt of the protest, advising of the decision with regard to the protest and the basis for the decision.

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ATTACHMENT 1

SAMPLE LETTER OF INTENT FOR RFP 09-223

Jennifer Franco
Director of Intergovernmental and Legislative Affairs
San Bernardino Associated Governments
1107 W. 3rd St., 2nd Floor
San Bernardino, CA 92410

Dear Ms. Franco:

In response to the Request for Proposal (RFP) 09-223 for state advocacy services for San Bernardino Associated Governments, we the undersigned hereby affirm our intent to submit a proposal.

Below, please find information required to proceed with the process as outlined in the RFP:

Firm Name:
Primary Contact:
Phone:
Fax:
Email:

Sincerely,

ATTACHMENT 2

DRAFT CONTRACT FOR RFP 09-223

Agreement

THIS AGREEMENT is made this _____ day of _____, 2009, by and between the SAN BERNARDINO ASSOCIATED GOVERNMENTS hereinafter referred to as "SANBAG," and _____, hereinafter referred to as "CONTRACTOR."

WITNESSETH:

WHEREAS, SANBAG wishes to engage CONTRACTOR to provide State Advocacy services for SANBAG,

WHEREAS, CONTRACTOR has the qualifications and expertise to provide such services;

NOW, THEREFORE the parties hereto do mutually agree to the following terms and conditions:

- I. CONTRACTOR shall provide State Advocacy services for SANBAG as set forth in Attachment 3 Scope of Services which is attached hereto and incorporated herein by reference.
- II. CONTRACTOR shall receive overall supervision regarding interests in this contract from the SANBAG Executive Directors and the SANBAG Intergovernmental and Legislative Affairs Director.
- III. CONTRACTOR shall perform the foregoing services in full compliance with applicable law, rules, and regulations, and shall, in cooperation with SANBAG file all reports required by law in a timely manner in connection with any representation work for SANBAG. CONTRACTOR shall furnish all necessary information and assist SANBAG in filing any reports required of them by law relating to services under this contract in a timely manner.
- IV. The parties recognize that CONTRACTOR has other clients for which it may perform services similar to those provided for herein, and may find from time to time that the interests of various such clients may conflict with the interests of SANBAG. CONTRACTOR shall advise SANBAG of all such instances wherein there is a conflict between the interests of SANBAG and the interests of one or more of its other clients, and in each and every such instance agrees that it shall not take any action on behalf of SANBAG or such other client or clients without the consent of SANBAG as applicable. CONTRACTOR further agrees that in the event of any conflict in the

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interests or positions of SANBAG that CONTRACTOR shall discuss such with the Executive Directors of such agencies and abide by their direction with regard to such matter and if they cannot agree on how to proceed, then CONTRACTOR shall not remain involved in such matter.

- V. CONTRACTOR agrees that it will not disclose any confidential information regarding SANBAG or its current or former employees that it has obtained or will obtain, either directly or indirectly, without the prior consent of SANBAG as applicable.
- VI. SANBAG shall pay CONTRACTOR the sum of \$_____ per month commencing on October 1, 2009, plus chargeable expenses not to exceed \$_____ annually. All legislative advocacy work is to be performed by Steve Palmer or others as may be approved by SANBAG. Chargeable expenses for the purpose of this agreement shall include reasonable and necessary expenses directly related to the interests of SANBAG and travel outside the Washington, DC area, including meals and lodging while engaged in such travel. All chargeable expenses related to this contract shall be expressly authorized by SANBAG prior to such expenses being incurred, and shall not include ordinary office overhead. It is agreed that the aforesaid compensation shall cover all services for SANBAG and that CONTRACTOR shall only receive payment from SANBAG for its services.
- VII. CONTRACTOR shall submit a detailed monthly statement of billing and approved expenses to SANBAG. SANBAG shall pay monthly billings within twenty (20) days of receipt from CONTRACTOR.
- VIII. The term of this agreement shall commence October 1, 2009, and continue through September 30, 2014, unless terminated in writing by 60 days written notice from one party to the other. If termination is for convenience under the 60-day notice provision, CONTRACTOR shall be compensated for services and approved expenses to the effective date of the termination. SANBAG shall also have the right to terminate this agreement immediately for cause for failure of CONTRACTOR to perform its obligations and in such event; CONTRACTOR shall only be paid for services and expenses to the date of the termination. No damages of any nature shall be due CONTRACTOR from SANBAG for exercise of termination rights by SANBAG.
- IX. SANBAG retains CONTRACTOR on an independent contractor basis and CONTRACTOR is not an employee or agent of SANBAG. Personnel performing services under this agreement on behalf of CONTRACTOR shall at all times be under CONTRACTOR'S exclusive direction and control. CONTRACTOR shall pay all wages, salaries and other amounts due such personnel in connection with their performance of services and as required by law. CONTRACTOR shall be responsible for all reports and obligations respecting such personnel, including but not limited to,

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social security taxes, income tax withholdings, unemployment insurance, and workers' compensation insurance.

- X. All services to be furnished under this agreement shall be deemed professional services. As such, CONTRACTOR shall have neither the right nor power to assign, sublet, transfer or otherwise substitute its interest in or obligations under this Agreement without the prior written consent of SANBAG.
- XI. The subcontracting of any of the services by the CONTRACTOR must be accomplished by a written instrument approved by SANBAG. Such instrument shall contain an express assumption by the subcontractor of all conditions, terms and covenants contained in this agreement.
- XII. All data prepared by CONTRACTOR under this agreement, such as plans, drawings, tracing, quantities, specifications, proposals, sketches, magnetic media, computer software or other programming, diagrams and calculations relative to this agreement shall become the property of SANBAG upon the completion of the term of this agreement, except that CONTRACTOR shall have the right to retain copies of all such data for its records. SANBAG shall not be limited in any way in their use of such data at any time, provided that any such use not within the purposes intended by this agreement shall be at SANBAG's sole risk and provided that CONTRACTOR shall be indemnified against any damages resulting from such use, including the release of this material to third parties for a use not intended by the agreement. Should CONTRACTOR, following termination of the agreement, desire to use any materials prepared in connection with this project, it shall first obtain the written approval of SANBAG representative as applicable.
- XIII. All ideas, memoranda, specifications, plans, manufacturing procedures, drawings, descriptions, written information, and other materials described in section XII. submitted to CONTRACTOR in connection with the performance of this agreement shall be held confidential by CONTRACTOR. Such materials shall not, without the prior written consent of SANBAG as applicable, be used by CONTRACTOR for any purposes other than the performance of the services. Nor shall such materials be disclosed to any person or entity not connected with the performance of the services or the project. Nothing furnished to CONTRACTOR which is otherwise known to CONTRACTOR or is generally known, or becomes known, to the related industry shall be deemed confidential. CONTRACTOR shall not use SANBAG's insignia, photographs of the project, or any publicity pertaining to the services or the project in any magazine, trade paper, newspaper, television or radio production or other similar medium without the prior written consent of SANBAG, as applicable.
- XIV. Except as necessary for the performance of the services, no copies, sketches or graphs of materials, including graphic art work, which are prepared pursuant to this

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agreement, shall be released by CONTRACTOR to any other person or agency without prior written approval of SANBAG as applicable. All press releases, including graphic display information to be published in newspapers or magazines, shall be approved and distributed solely by SANBAG, unless otherwise provided by written agreement between the parties.

- XV. The CONTRACTOR agrees to defend, indemnify and hold harmless SANBAG, their officers, agents, consultants, and employees from any and all claims, demands, costs or liability arising from or connected with the services provided hereunder due to negligent acts, errors or omissions or willful misconduct of the CONTRACTOR. The CONTRACTOR will reimburse SANBAG for any expenditures, including reasonable attorneys' fees, incurred by them in defending against claims ultimately determined to be due to negligent acts, errors or omissions or willful misconduct of CONTRACTOR.
- XVI. CONTRACTOR shall be responsible for the professional quality, technical accuracy and the coordination of the services. SANBAG's review or acceptance of, or payment for any work product prepared by CONTRACTOR under this agreement shall not be construed to operate as a waiver of any rights SANBAG may have under this agreement or of any cause of action arising out of CONTRACTOR'S performance of this agreement. Further, CONTRACTOR shall be and remain liable to SANBAG in accordance with applicable law, for all damages to them caused by CONTRACTOR'S negligent performance of any of the services.
- XVII. CONTRACTOR shall obtain, and shall require its subcontractors to obtain, insurance of the types and in the amounts described below and satisfactory to SANBAG.
- A. CONTRACTOR shall maintain occurrence version commercial general liability insurance or equivalent form with a combined single limit of not less than \$1,000,000 per occurrence. If such insurance contains a general aggregate limit, it shall apply separately to this agreement or be no less than two times the occurrence limit. Such insurance shall:
1. Name SANBAG, their officials, officers, employees, agents, and consultants as insureds with respect to performance of services and shall contain no special limitations on the scope of coverage or the protection afforded to these insureds;
 2. Be primary with respect to any insurance or self insurance programs covering SANBAG, its officials, officers, employees, agents, and consultants; and
 3. Contain standard separation of insureds provisions.

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- B. CONTRACTOR shall maintain business automobile liability insurance or equivalent form with a combined single limit of not less than \$1,000,000 per occurrence. Such insurance shall include coverage for owned, hired and non-owned automobiles.
 - C. CONTRACTOR shall maintain errors and omissions liability insurance with a limit of not less than \$1,000,000 and shall maintain such for a minimum of one year following completion of services.
 - D. CONTRACTOR shall maintain workers' compensation insurance with statutory limits and employers' liability insurance with limits of not less than \$1,000,000 for each accident.
 - E. CONTRACTOR shall furnish SANBAG with properly executed certificates of insurance and, if requested by SANBAG, certified copies of endorsements and policies, which clearly evidence all insurance required under this agreement and provide that such insurance shall not be canceled, allowed to expire or be materially reduced in coverage, except on 30 days' prior written notice to SANBAG. SANBAG shall have the sole discretion to determine whether the certificates and endorsements presented comply with the provisions of this agreement.
 - F. CONTRACTOR shall replace certificates, policies and endorsements for any insurance expiring prior to completion of services under this agreement. Further, CONTRACTOR shall maintain such insurance from the time services commence until services are completed, except as otherwise provided by this agreement.
 - G. CONTRACTOR shall place such insurance with insurers having A.M. Best Company ratings of no less than A:VIII and licensed to do business in California, unless otherwise approved, in writing, by SANBAG's representative.
- XVIII. CONTRACTOR warrants that it has not employed nor retained any company or person, other than a bona fide employee working solely for CONTRACTOR, to solicit or secure this agreement. Further, CONTRACTOR warrants that it has not paid nor has it agreed to pay any company or person, other than a bona fide employee working solely for CONTRACTOR, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of the agreement. For breach or violation of this warranty, SANBAG shall have the right to rescind this agreement without liability.

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- XIX. For the term of this agreement, no member, officer or employee of SANBAG, during the term of his or her service with these agencies, shall have any direct interest in this agreement, or obtain any present or anticipated material benefit arising there from.
- XX. CONTRACTOR shall make available for examination by SANBAG, their authorized agents, officers or employees any and all ledgers and books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or related to the expenditures and disbursements charged pursuant to this agreement. Further, CONTRACTOR shall furnish to SANBAG, their agents or employees such other evidence or information as they may require with respect to any such expense or disbursement charged by CONTRACTOR. All such information shall be retained by CONTRACTOR for at least three years following termination of the agreement, and SANBAG shall have access to such information during the three-year period for the purposes of examination or audit.
- XXI. CONTRACTOR represents that it is an equal opportunity employer and it shall not discriminate against any employee or applicant for employment because of race, religion, color, national origin, ancestry, sex or age. Such non-discrimination shall include, but not be limited to, all activities related to initial employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination.
- XXII. SANBAG reserve right to employ other contractors for Legislative Advocacy services.
- XXIII. If either party commences an action against the other party arising out of or in connection with this agreement, the prevailing party in such litigation shall be entitled to have and recover from the losing party reasonable attorneys' fees and costs of suit.
- XXIV. Time is of the essence for each and every provision of this agreement. This agreement shall be governed by and construed by the laws of the State of California.
- XXV. All notices hereunder and communications regarding interpretation of the terms of the agreement or changes thereto shall be provided by the mailing thereof by registered or certified mail, return receipt requested, postage prepaid and addressed as follows:

Firm Name	SANBAG
Address	1170 W. 3 rd St., 2 nd Floor
Address	San Bernardino, CA 92410

ATTN: Primary Consultant	ATTN: Executive Director
--------------------------	--------------------------

Any notice so given shall be considered served on the other party three days after deposit in the U.S. mail, first class postage prepaid, return receipt requested, and

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addressed to the party at its applicable address. Actual notice shall be deemed adequate notice on the date actual notice occurred regardless of the method of service.

- XXVI. In the event that provisions of any attached appendices or exhibits conflict in any way with the provisions set forth in this agreement, the language, terms and conditions contained in this agreement shall control the actions and obligations of the parties and the interpretation of the parties' understanding concerning the performance of the services.
- XXVII. In the event that the parties determine that the Scope of Services or other provisions of this agreement must be altered, the parties may execute a contract amendment to add or delete work within the Scope of Work or amend any other provision of this agreement. All such contract amendments must be in the form of a written instrument signed by the original signatories to this agreement, or their successors or designees.
- XXVIII. This agreement constitutes the entire agreement between the parties relating to the subject matter hereof and supersedes any previous agreements or understandings.
- XXIX. The invalidity in whole or in part of any provision of this agreement shall not void or affect the validity of any other provision of this agreement.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on the day and year below written, but effective as of the day and year first set forth above.

Primary Consultant
Firm Name
Address
Address

SANBAG President
San Bernardino Associated Governments
1170 W. 3rd St., 2nd Fl.
San Bernardino, CA 92410

Dated: _____

Dated: _____

APPROVED AS TO FORM:

Jean-Rene Basle, SANBAG Counsel

Dated: _____

ATTACHMENT 3

SCOPE OF SERVICES – RFP 09-223

Overall Goal

Successfully achieve the intended results of the San Bernardino Associated Governments (SANBAG) State Legislative Program.

Required Tasks/Activities

Tasks will include, but not be limited to the following:

- a) Seek out and identify legislation and/or amendments to legislation that coincide with the SANBAG Legislative Work Program.
- b) Routinely communicate with delegation members, and members of related Assembly and Senate committees on legislation sponsored by SANBAG positions adopted in response to specific legislative or budget proposals. This may occur through both written and oral communication.
- c) Provide information, copies of introduced legislation, relevant testimony and any analysis of legislation relative to SANBAG. Such information shall be provided to the Director of Intergovernmental and Legislative Affairs unless otherwise directed.
- d) Coordination of advocacy efforts that may include testimony by the selected firm's representatives, and/or SANBAG Board member and/or staff.
- e) Advise and assist SANBAG in developing strategy on legislation, regulations and actions contemplated at any government level.
- f) Forward, as directed, newspaper clippings, copies of e-newsletters and/or magazine articles pertaining to the political climate, political issues or legislative issues as deemed necessary and that are pertinent to SANBAG's Legislative Work Program.
- g) Assist SANBAG executive staff and board members with planning and scheduling meetings in Sacramento, including the coordination of communications and visits with the Legislature, members of the Governor's Administration and agency staff.
- h) Provide a written monthly update to the SANBAG Board of Directors which summarizes the firm's most recent efforts on behalf of SANBAG, including but not limited to: testimony before committee, individual meetings with members of the Legislature and written correspondence on behalf of SANBAG. This report shall also contain any relevant information regarding legislative activities/progress on moving legislation, adopting a budget, and general activities or action of state government that could impact SANBAG's interests.
- i) Attend at least one regular board meeting, but no more than three, per year to report on legislative activities. Additional requests may be made by SANBAG as necessary. Visits to SANBAG shall be compensated as outlined in the contract.
- j) Provide an annual end-of-year report to summarize activities throughout the year, accomplishments and ideas for further consideration.
- k) Assist with other activities as requested.

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 10

Date: June 10, 2009

Subject: Allocation of Local Transportation Funds (LTF) and State Transit Assistance Funds (STA) for Fiscal Year 2009/2010

Recommendation: Adopt Resolution 10-001 authorizing the allocation of Local Transportation Funds (LTF) and State Transit Assistance Funds (STA) for Fiscal Year 2009/2010.

Background: Section 99214 of the California Public Utilities Code designates the San Bernardino County Transportation Commission as the regional transportation planning agency for the purpose of administering the Transportation Development Act funds (LTF and STA). This responsibility includes the adoption of the LTF apportionments, approval of all LTF and STA claims, issuance of LTF and STA allocation and disbursement instructions.

Section 6659 and Section 6753 of the California Code of Regulations (CCR) requires the adoption of a resolution authorizing the issuance of LTF and STA allocation instructions, respectively.

The attached Resolution 10-001 fulfills the requirement of CCT Section 6659 and Section 6753.

Approved
Administrative Committee

Date: _____

Moved:

Second:

In Favor:

Opposed:

Abstained:

Witnessed: _____

ADM0906a-vlb
50209000
Attachment:
RES10001-vlb

Financial Impact: This item is consistent with the adopted Fiscal Year 2009/2010 SANBAG Budget. Adoption of the resolution by the Board will authorize the issuance of LTF and STA allocation instructions for the commission's TDA administration functions, transportation planning and programming functions and commuter rail operating and capital assistance as approved in the Fiscal Year 2009/2010 Budget.

Reviewed By: This item is schedule for review by the Administrative Committee on June 10, 2009.

Responsible Staff: Michael Bair, Interim Director of Transit and Rail Programs
Victoria Baker, Senior Transit Analyst

RESOLUTION NO. 10-001

**RESOLUTION OF THE
SAN BERNARDINO COUNTY TRANSPORTATION COMMISSION
AUTHORIZING THE ALLOCATION OF
LOCAL TRANSPORTATION FUNDS AND
STATE TRANSIT ASSISTANCE FUNDS
FOR FISCAL YEAR 2009/2010**

WHEREAS, the San Bernardino County Transportation Commission is the designated transportation planning agency for the administration of the Transportation Development Act funds within San Bernardino County; and

WHEREAS, the Southern California Association of Governments (SCAG) Executive Committee has adopted a Regional Transportation Plan (RTP) directed toward the achievement of a coordinated and balanced transportation system; and

WHEREAS, the Board of Directors has adopted a Subregional Transportation Improvement Program including planned expenditures of transportation funds, including Local Transportation Funds and State Transit Assistance Funds; and

WHEREAS, claims may be submitted under the Transportation Development Act for allocations from the Local Transportation Fund and State Transit Assistance Funds consistent with the adopted plans, programs and apportionments;

NOW THEREFORE BE IT RESOLVED that the Board of Directors of the San Bernardino County Transportation Commission hereby approves the allocation of Local Transportation Funds and State Transit Assistance Funds for Fiscal Year 2009/2010 subject to those claims conforming to adopted apportionments and all other requirements of the Transportation Development Act, including but not limited to the following findings:

1. The claimant's proposed expenditures are in conformity with the Regional Transportation Plan.
2. The level of passenger fares and charges is sufficient to enable the operator or transit service claimant to meet the applicable fare revenue to operating expense (operating ratio) requirements.
3. The claimant is making full use of federal funds available pursuant to the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU).
4. The sum of the claimant's allocations from the State Transit Assistance Funds and Local Transportation Fund does not exceed the amount the claimant is eligible to receive during the fiscal year.

5. Priority consideration has been given to claims to offset reductions in federal operating assistance and the unanticipated increase in the cost of fuel, to enhance existing public transportation services, and to meet high priority regional, countywide, or area wide public transportation needs.
6. The claimant has made reasonable effort to implement the productivity improvements recommended pursuant to Public Utilities Code 99244, including the specific reference to the improvements recommended and the efforts made by the claimant to implement them.
7. The claimant submits a certification issued by the Department of California Highway Patrol within the last 13 months verifying that the claimant is in compliance with Section 1808.1 of the Vehicle Code (Drivers Pull Notice Program), as required by Public Utilities Code 99251.
8. The claimant is in compliance with the qualifying criteria pursuant to Public Utilities Code Section 99314.6 (use of STA for operating purposes).
9. The transportation services contracted for under Public Utilities Code 99400(c) are responding to a transportation need not otherwise being met within the community or jurisdiction of the claimant and that where appropriate, the services are coordinated with the existing transportation service.

BE IT FURTHER RESOLVED that such approval does not include allocations for local street and roads unless the provisions of Sections 99401.5 and 99401.6 of the Public Utilities Code have been met; and

BE IT FURTHER RESOLVED that the Executive Director or her designee is authorized to transmit allocation instructions to the San Bernardino County Auditor/Controller, having first determined that the required allocation meets all requirements of this Resolution and the Transportation Development Act.

Approved by the Board of Directors of the San Bernardino County Transportation Commission at its regular meeting thereof held this 1st day of July 2009.*

*Approved
Board of Directors*

Date: _____

Moved: _____ *Second:* _____

In Favor: _____ *Opposed:* _____ *Abstained:* _____

Witnessed: _____

Minute Action

AGENDA ITEM: 11

Date: June 10, 2009

Subject: Triennial Performance Audit of the San Bernardino Associated Governments for Fiscal Years 2005/2006 through 2007/2008

Recommendation:* Receive the Triennial Performance Audit of the San Bernardino Associated Governments for Fiscal Years 2005/2006 through 2007/2008 and direct staff to implement the audit recommendations.

Background: California Public Utilities Code, Section 99246(a) requires that a performance audit of SANBAG, acting as the county transportation commission, be conducted every three years. The last commission performance audit was completed and received by the Board in January 2007. The current performance audit was conducted by Pacific Municipal Consultants (PMC). Mr. Derek Wong of PMC will be presenting the audit report findings and recommendations to the committee.

The attached performance audit focuses primarily on the commission's responsibilities relating to the administration of the Transportation Development Act (TDA) funds (Local Transportation Funds and State Transit Assistance Funds). The report contains an Executive Summary followed by sections describing the variety of functions SANBAG performs, the organizational structure of SANBAG, its participation with regional agencies; and, more importantly, its compliance with the State TDA requirements.

*

Approved
Administrative Committee

Date: _____

Moved:

Second:

In Favor:

Opposed:

Abstained:

Witnessed: _____

ADM0906b-vlb
50209000
Attachment
ADM0906b1-vlb

The audit contains six recommendations, 1) Enhancement of the Transit Productivity Improvement Program (PIP), 2) Ensure transit operators are consistently submitting CHP inspections certificates with TDA Transit Claims, 3) Maintain transit staff development for TDA administration, 4) Update the SANBAG TDA application manual, 5) Develop orientation packet for new and existing Public and Specialized Transit Advisory and Coordination Council (PASTACC) members, and 6) Consider development of a broader transit policy committee.

Financial Impact: This item is consistent with the adopted budget. The performance audit is funded by LTF Administrative funds under Task 50209000.

Reviewed By: This item is scheduled for review by the Administrative Committee on June 10, 2009.

Responsible Staff: Michael Bair, Interim Director of Transit and Rail Programs
Victoria Baker, Senior Transit Analyst

**FY 2006-2008
Triennial Performance Audit
of San Bernardino Associated
Governments**

**Submitted to San Bernardino
Associated Governments**

May 2009

draft final

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Note: This document was prepared specifically for the Triennial Performance Audit of the San Bernardino Associated Governments, Omnitrans, Victor Valley Transit Authority, Morongo Basin Transit Authority, and Mountain Area Regional Transit Authority and the cities of Barstow and Needles transit systems. Any reuse or modification without the written authorization of PMC will be at the user's sole risk.

Executive Summary

PMC, in association with Booz Allen Hamilton, was retained by the San Bernardino Associated Governments (SANBAG) to conduct its Transportation Development Act (TDA) performance audit for Fiscal Years (FY) 2005–06 through 2007–08. As a Regional Transportation Planning Agency (RTPA), SANBAG is required by Public Utilities Code (PUC) Sections 99246 and 99248 to prepare and submit an audit of its performance on a triennial basis to the California State Department of Transportation (Caltrans) to continue receiving TDA funding. TDA funding is used for SANBAG administration and planning, and distributed to local jurisdictions for motorized and non-motorized forms of transportation.

This performance audit is intended to describe how well SANBAG is meeting its administrative and planning obligations under TDA, as well as its organizational management and efficiency. The *Performance Audit Guidebook for Transit Operators and Regional Transportation Planning Entities, September 2008 (third edition)* published by the California Department of Transportation was used to guide in the development and conduct of the audit. To gather information for the TDA performance audit, PMC conducted interviews, reviewed various documents, and evaluated SANBAG's responsibilities, functions, and performance of the TDA guidelines and regulations. Interviews were conducted with agency staff, the transit operators within SANBAG's jurisdiction, and stakeholders that serve on the SANBAG Public and Specialized Transportation Advisory and Coordination Council (PASTACC).

The audit comprises several sections, including compliance with TDA requirements, status of implementing prior audit recommendations, and review of functional areas. Findings from each section are summarized below, followed by recommendations based on our audit procedures.

Compliance with TDA Requirements

SANBAG has satisfactorily complied with most State legislative mandates for Regional Transportation Planning Agencies. One compliance measure was not applicable. A few compliance areas were partially met, including the mandate for SANBAG to analyze and recommend potential productivity improvements for the transit operators, as well as to ensure the fiscal and compliance audits were submitted to the State according to the statutory timelines. A few of the FY 2007-08 TDA fiscal audits of the transit operators were not submitted to the State on time due to a change in reporting format.

To its credit, SANBAG has conducted extensive outreach during the annual unmet transit needs process by holding at least three public hearings in various locations throughout the Mountain/Desert Region to take public testimony and by accepting written and Internet correspondence. The public hearings are held where public transit services are provided

in each subregion. TDA statute requires at least one public hearing whereas SANBAG sponsors three.

Status of Prior Audit Recommendations

There were two recommendations in the prior performance audit. One recommendation was implemented which included developing a succession plan in the management of the TDA program. However, the second prior recommendation relating to updating the SANBAG TDA Fund Application Manual was not implemented, as SANBAG staff has not had the opportunity to update the 2002 manual to reflect both statutory and administrative changes. This recommendation is carried forward for full compliance.

Functional Review

1. SANBAG conducts its management of the TDA program in a competent, professional manner while operating in a complex intergovernmental environment.
2. SANBAG has satisfactorily complied with most State legislative mandates for Regional Transportation Planning Agencies. A few compliance areas were partially met, including the mandate for SANBAG to analyze and recommend potential productivity improvements for the transit operators, as well as to ensure the fiscal and compliance audits were submitted to the State according to the statutory timelines.
3. SANBAG has responded to and implemented one of the two prior performance audit recommendations. The recommendation not yet implemented is to update its TDA application manual.
4. SANBAG has seen notable changes and challenges in staffing during the audit period, particularly at the senior management and executive leadership level. Staff changes included the recruitment of two Executive Directors in the past three years, a Director of Management Services and Mountain/Desert Subregional Policies and a new Director of Freeway Construction, and recruitment of four Chief Financial Officers.
5. In light of the extension of Measure I for another 30 years and the limited capacity of Caltrans and partner agencies to deliver projects, SANBAG has been organizing itself through creation of new positions and new internal controls toward serving as an implementation agency. A new strategic plan for Measure I has also been developed to guide future transportation infrastructure.
6. The agency was recognized in May 2007 as the International Employer of the Year by Women's Transportation Seminar (WTS) at an awards dinner in San Diego.
7. SANBAG is updating its financial software, having outgrown its current system and recently installing and testing a new system. Tyler Technologies, Inc. is supplying SANBAG with the EDEN financial management software, including core financial

and human resource applications. In conjunction with the financial system overhaul, SANBAG is documenting current desk procedures and policies as a means to communicate the standard operating procedures in light of management turnover.

8. During the audit period, SANBAG commissioned an operations analysis for each of the transit operators. Each Short Range Transit Plan provided recommendations for alternative service provision and benchmark performance measures to gauge productivity. Many of the recommendations have been implemented by the respective operators. However, LTF receipts and reserves have been trending lower due to the economic downturn resulting in required efforts by each transit agency to assess current service provision.
9. The apportioned amount of LTF funds used for SANBAG planning purposes has increased over the last three years. The increase was generally due to continued work in meeting TDA administrative requirements and planning for existing and new projects. SANBAG's statutory limit of LTF expenditures for planning and programming purposes is 3 percent of annual Local Transportation Fund revenues. SANBAG has been responsible in the amount it claims.
10. With the addition of a Transit Analyst in August 2006, SANBAG has had the staff capability to be more hands-on and engaged with the transit operators. Direct interface with the operators has been enhanced through communications, attendance at unmet transit needs hearings and PASTACC meetings, as well as review of operating performance through each operator's respective Short Range Transit Plan. By having additional transit staff focus on transit operations, the Director of Transit and Rail Programs is able to focus more on policy and to respond faster to funding and high-level decision-making for both commuter rail and public transit.
11. SANBAG, in cooperation with the transit operators, went live with TransTrack during the audit period. TransTrack is a computerized data collection and performance management tool geared toward transit operators. It is intended to standardize the reporting of critical operations data and provide a communications medium between SANBAG, the operators and their governing boards. After a few years of becoming familiar with this tool, several of the transit operators continue to experience challenges utilizing the capabilities of TransTrack. As a result, there are ongoing efforts by both SANBAG and the operators to improve the data consistency and utilization of this system to its potential.

Recommendations

Performance Audit Recommendation	Background	Timeline
#1 Enhance the Transit Productivity Improvement Program (PIP).	The transit PIP, which comprises three components, could be strengthened in several areas. One area is for SANBAG to ensure that the transit operators submit their specific initiated efforts to improve productivity along with their TDA claims, as this is a standard assurance item. A second area is for development of a brief form or table for the operators to describe their status and actions to implement the performance audit recommendations. The form, which could be attached as part of the annual TDA claim, would include a request to list each recommendation, activities conducted to implement the recommendation, and the status of whether the recommendation was fully implemented or not, and follow-up actions to be taken. The third area is ongoing work with the operators to improve their usage of TransTrack, whether through additional instruction or training, identifying and communicating data errors, or validating the method to enter the data consistently.	High Priority
#2 Require transit operators to consistently submit CHP inspection certificates with TDA claims.	The standard assurances form completed by the TDA claimants includes submittal of the annual CHP certificate verifying participation in the pull notice program. Submittal of these forms by the operators to SANBAG is a compliance requirement. As a few operators had past unsatisfactory CHP ratings for a variety of violations, SANBAG should be aware of these findings and follow up with the operator to maintain compliance.	High Priority
#3 Maintain transit staff development for TDA administration.	Given the retirement of the Director of Transit and Rail Programs, SANBAG should ensure that adequate training on TDA administration and compliance continues through the ranks. Desk procedures should be in place that enable senior staff and management to provide training to analysts and others regarding the responsibilities and compliance with TDA to maintain a high level of competency within the agency. This may include cross-sharing of responsibilities so that more than one person is capable of handling the tasks.	High Priority

Performance Audit Recommendation	Background	Timeline
#4 Update the SANBAG TDA application manual.	As a carryover recommendation from the prior performance audit, the agency's guidebook should be updated to reflect changes to the administration of TDA. These include the updated TDA statute book (February 2009), the updated TDA performance audit guidelines (September 2008), utilization of TransTrack as a performance monitoring tool, and utilization of the newly designed TDA claim form.	High Priority
#5 Develop orientation packet for new and existing PASTACC members.	Given the diversity, interest and membership size of this advisory body, a brief standard orientation packet could assist new and existing members to become more familiar with the purpose, role and responsibilities of the group. Answers to common questions posed by members could be included in addition to other general information such as transit funding sources, list of acronyms, unmet needs process and other pertinent data. The packet may also serve as a reference document for the group to consult when exchanging ideas and discussion.	Medium Priority
#6 Consider development of a broader transit policy committee in light of multimodal planning in the county and region.	SANBAG is engaged in several transit connectivity plans as well as a Long Range Transit Plan that will have broad implications on future travel and commuter behavior. These plans will likely have connectivity with rail and other transit and non-motorized systems as part of the effort to improve mobility while complying with state legislation including SB 375. Specialized transit for elderly and disabled passengers is another program that has been studied for coordination. With Bus Rapid Transit and other transit corridor endeavors being planned, a SANBAG policy committee that focuses on multimodalism and transit connectivity may be warranted in the near future. This concept might be linked to SANBAG's current standing commuter rail committee which provides a major travel mode in the county.	Medium Priority

Section I

Introduction – Initial Review of RTPA Functions

The San Bernardino Associated Governments (SANBAG) has retained the PMC team to conduct its Transportation Development Act (TDA) performance audit covering the most recent triennial period, Fiscal Years (FY) 2005-06 through 2007-08. As a Regional Transportation Planning Agency (RTPA), SANBAG is required by Public Utilities Code (PUC) Sections 99246 and 99248 to prepare and submit an audit of its performance on a triennial basis to the California Department of Transportation (Caltrans) in order to continue receiving TDA funding. This performance audit is intended to describe how well SANBAG is meeting its administrative and planning obligations under TDA as well as its organizational management and efficiency.

Audit Methodology

To gather information for this performance audit, PMC accomplished the following activities:

- Document Review: PMC conducted an extensive review of documents including various SANBAG files and internal reports, committee agendas and public documents.
- Interviews: PMC interviewed key SANBAG management staff as well as the transit operators under SANBAG's jurisdiction. Interviews were also conducted with stakeholders that serve on the SANBAG Public and Specialized Transportation Advisory and Coordination Council (PASTACC).
- Analysis: PMC evaluated the responses from the interviews as well as the documents reviewed about SANBAG's responsibilities, functions and performance to TDA guidelines and regulations.

The remainder of this report is divided into four chapters. In Chapter II, PMC provides a review of the compliance requirements of the TDA administrative process. Chapter III describes SANBAG's responses to the recommendations provided in the previous performance audit. In Chapter IV, PMC provides a detailed review of SANBAG's functions. The last section summarizes our findings and recommendations.

Overview of SANBAG

SANBAG was established in 1973 as a Joint Powers Agency (JPA) of the County of San Bernardino and the incorporated cities in the county. Today, SANBAG's membership has expanded to include 24 cities. The member jurisdictions include the following entities:

City of Adelanto	City of Montclair
Town of Apple Valley	City of Needles
City of Barstow	City of Ontario
City of Big Bear Lake	City of Rancho Cucamonga
City of Chino	City of Redlands
City of Chino Hills	City of Rialto
City of Colton	City of San Bernardino
City of Fontana	City of Twentynine Palms
City of Grand Terrace	City of Upland
City of Hesperia	City of Victorville
City of Highland	City of Yucaipa
City of Loma Linda	Town of Yucca Valley
County of San Bernardino	

San Bernardino County is located in the Inland Empire region of Southern California, stretching nearly 200 miles across. The county is bordered by Inyo County to the north, Kern and Los Angeles counties to the west, Riverside County to the south, Orange County to the southwest, the State of Nevada to the northeast and the Colorado River to the east. San Bernardino County was created in 1853 from parts of Los Angeles County. The county is geographically the largest in the continental United States encompassing over 21,000 square miles and is traversed by 2,834 miles of County-maintained roadways. Population growth has seen a marked increase in recent years. Based upon the 2000 U.S. Census, the county's population was 1.7 million, the fourth largest in the state. The 2008 California Department of Finance (DOF) estimate reports a countywide population of 2.05 million, the sixth largest in the state. The most populous cities within the county include the county seat of San Bernardino (205,493), Fontana (188,498), Rancho Cucamonga (174,308), Ontario (173,690), and Victorville (107,408).

Against this backdrop of rapid population growth, San Bernardino County's economy has become increasingly diverse and robust. This is attributed to the large amount of goods movement and distribution facilities in the region. The Interstate 10 (I-10), I-15 and I-215 corridors have become major development areas for such activities. However, the recent economic challenges facing the county due to the worldwide financial crisis and recession have resulted in contractions in the housing market and increased unemployment.

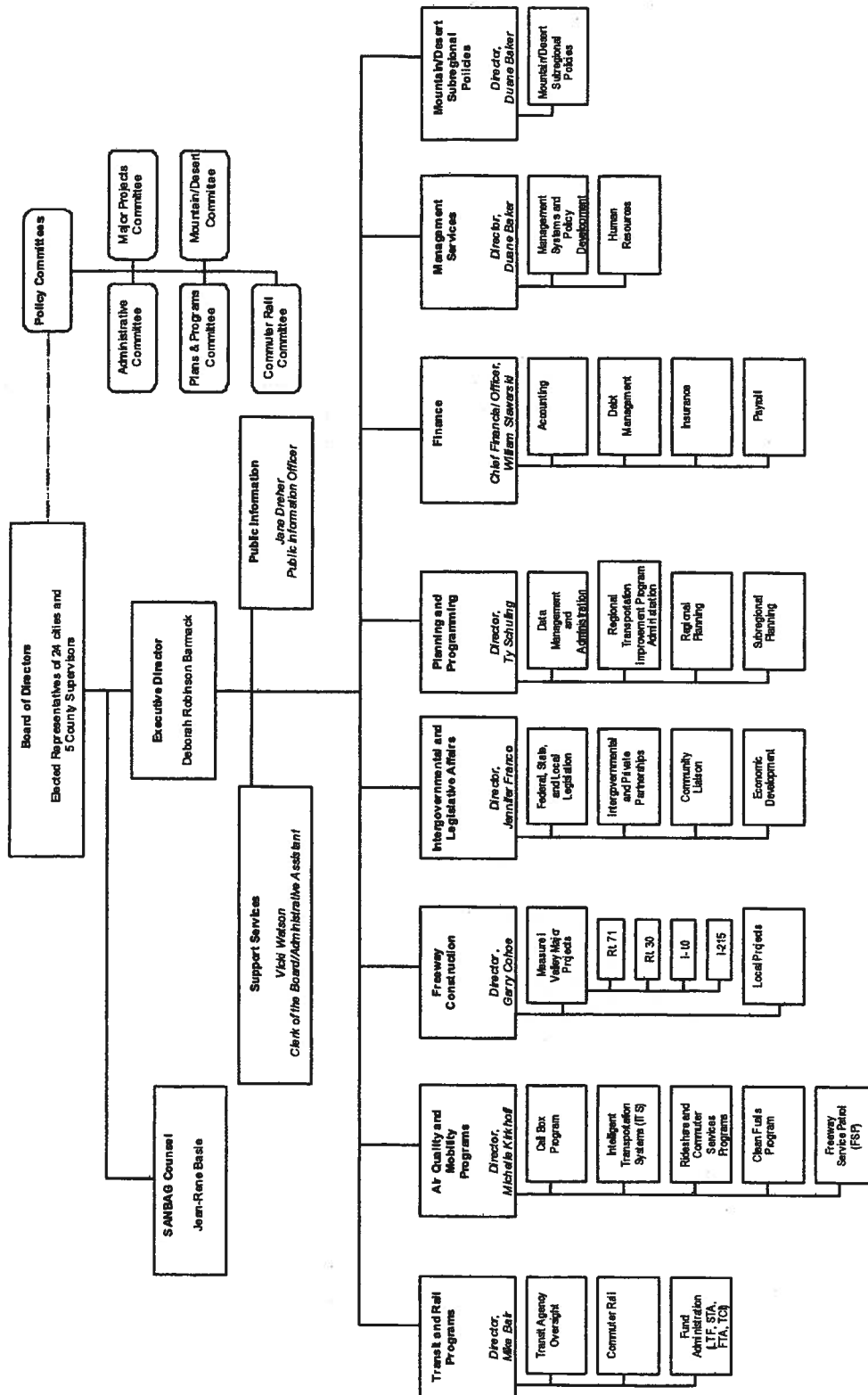
The current economic and population trends have created the need to plan and implement a myriad of transportation projects encompassing all modes including toll roads, commuter rail and enhanced bus transportation. SANBAG has committed itself to be an effective facilitator of mobility throughout the county.

Role of SANBAG

Similar to many other large regional transportation planning agencies in California, SANBAG has a complex legal structure, which delineates its responsibilities in the areas of transportation, planning, and investment decision-making. SANBAG's original 1973 JPA has served as the foundation upon which several additional responsibilities have been added in later years by the state legislature. In addition to its primary role as a Council of Governments, SANBAG also serves as the County Transportation Commission, County Transportation Authority, County Congestion Management Agency, Service Authority for Freeway Emergencies, and Sub-Regional Planning Agency. Figure I-1 depicts the organization chart of SANBAG as of late 2008.

SANBAG Organization Chart

Figure I-1



SANBAG Org Chart-Functional 8/1/08

Source: SANBAG FY 2008-09 Budget

County Transportation Commission

In 1976, State Assembly Bill (AB) 1246 was enacted designating SANBAG as a county transportation commission. This statute broadened SANBAG's range of responsibilities to include coordination and approval of all public mass transit services, approval of all capital development projects for transit and highway systems, and determination of staging possibilities for near-term transportation planning and programming.

With AB 1246, SANBAG, in essence, became the transportation programming agency for San Bernardino County. In addition, SANBAG assumed responsibility for the five-year capital outlay program, the regional transportation improvement program (RTIP) for the county. The RTIP is submitted to the California Transportation Commission (CTC) for inclusion in the statewide five-year transportation investment program referred to as the State Transportation Improvement Program (STIP).

In 1990, the state legislature assigned to SANBAG the responsibility for managing all aspects of the TDA program. This action ensured that the agency had multimodal transportation planning responsibilities.

Until the passage of State Senate Bill (SB) 45 in 1997, the STIP was directed by the CTC. However, the enactment of SB 45 made significant changes to the STIP process. Specifically, SB 45 made SANBAG (as well as other regional agencies) the final arbitrator of the projects in its jurisdiction that are to be chosen for inclusion in the STIP. Thus, under the terms of SB 45, SANBAG became responsible for prioritizing 75 percent of the state transportation capital outlay funds available to San Bernardino County during each two-year STIP cycle. Before SB 45, the individual projects in the RTIP that SANBAG and other regional transportation planning agencies submitted to the CTC for inclusion into the STIP were subject to negotiations with the Commission.

County Transportation Authority

SANBAG's designation as a county transportation authority allows it to administer Measure I, the countywide half-cent transportation sales tax initiative. The twenty-year funding program for transportation projects won voter approval in November 1989. In 2004, county voters overwhelmingly approved the 2010-2040 Measure I Extension. As administrator of the Measure I program, SANBAG is responsible for determining which projects receive Measure I funding and ensuring that transportation projects are implemented.

County Congestion Management Agency

In its role as the county's congestion management agency, SANBAG manages the performance level of the regional transportation system, which takes into consideration development impacts and air quality conformity. To this end, SANBAG develops a

Congestion Management Program (CMP), which defines a network of state highways and arterials, level of service standards and related procedures, and provides technical justification for the approach. The most recent CMP was adopted by the SANBAG Board in 2007.

Service Authority for Freeway Emergencies (SAFE)

SANBAG serves as the Service Authority for Freeway Emergencies, which develops and operates a system of approximately 1,400 call boxes on highways and arterials throughout the county. Each call box is a battery-powered, solar-charged roadside cellular telephone. Call boxes are usually placed in pairs across from each other at approximately one-half mile to one mile intervals in urbanized areas, with greater spacing in rural areas. The SAFE call box network is operated in close coordination with both the California Highway Patrol (CHP) and Caltrans.

Sub-Regional Planning Agency

As a sub-regional planning agency, SANBAG represents the San Bernardino County region and assists the Southern California Association of Governments (SCAG) in its role as the federally designated metropolitan planning agency (MPO) for the county. SANBAG staff actively participates on various committees of SCAG, which make technical recommendations to SCAG's policy makers.

An important feature of SANBAG is that it operates in a complex intergovernmental environment, which requires ongoing communications and coordination with agencies at the local, regional, state and federal levels of government. This means, for example, that its transportation plan and RTIP must be coordinated with the regional transportation planning and programming process managed by SCAG. SANBAG must also coordinate its highway development programs with the Riverside County Transportation Commission (RCTC), Orange County Transportation Authority (OCTA), Los Angeles County Metropolitan Transportation Authority (LACMTA) and Caltrans. SANBAG interacts regularly with county government, the cities in the county and the county's transit operators to ensure coordination between SANBAG policies and programs and the member agencies' programs and services.

In addition, in collaboration with Los Angeles, Orange, Riverside and Ventura counties, SANBAG is a founding partner of the Southern California Regional Rail Authority (SCRRA), the region's Metrolink commuter rail service provider. Metrolink operates the San Bernardino Line, which runs between San Bernardino and Los Angeles Union Station. The San Bernardino Line is the most heavily traveled line in the Metrolink network. The Riverside Line operates between the City of Riverside and Union Station with a Metrolink Station located in East Ontario. In addition, the Inland Empire-Orange County line runs between San Bernardino and various Orange County destinations. Two members from SANBAG's Board of Directors serve on SCRRA's governing board.

In a partnership with the Riverside County Transportation Commission (RCTC), the Commuter Assistance Program provides assistance to all of the Inland Empire through the <http://www.commutemart.info> website (a one-stop shop for commuters) and its ride-matching functionality on behalf of Los Angeles, Orange, San Bernardino and Ventura counties.

Organizational Structure

SANBAG's governing body is the Board of Directors comprising 29 voting members, the SANBAG Executive Director and one ex-officio member, currently Caltrans' District 8 Director, who represents the governor. Of the 29 members, 5 are members of the County Board of Supervisors and the remaining 24 members are elected officials from each of the incorporated jurisdictions in the county. The SANBAG Board meets on the first Wednesday of every month. The Board also has five committees and three technical advisory committees to assist in providing policy recommendations in its decision-making process. The committees consist of the following:

Committee	Purpose and Function
Administrative Committee	<p>This committee makes recommendations to the Board of Directors and</p> <ul style="list-style-type: none"> • Provides general policy oversight that spans the multiple program responsibilities of the organization and maintains the comprehensive organization integrity. • Provides policy direction with respect to administrative issues, policies, budget, finance, audit, and personnel issues for the organization. • Serves as the policy review committee for any program area that lacks active policy committee oversight. <p>Meetings convene at 9 a.m. on the second Wednesday of the month and comprise nine SANBAG Board members (3 East Valley, 3 West Valley, 3 Mountain/Desert). The Committee has authority to approve contracts up to \$25,000 with Board ratification to follow.</p>
Commuter Rail Committee	<p>This committee provides policy guidance and recommendations to the SANBAG Board and SCRRA delegates with respect to commuter rail service in San Bernardino County. The Commuter Rail Committee, comprising 9 Valley-elected officials, convenes at 12 noon on the third Thursday following the SANBAG Board meeting during odd-numbered months.</p>
Major Projects Committee	<p>This committee provides policy guidance and recommendations to the Board of Directors on issues related to the Measure I Major</p>

	<p>Projects in the Valley region. The committee, comprising board members from jurisdictions in the Valley and County Supervisors representing areas in the Valley, meets at 9 a.m. on the second Thursday of every month following the SANBAG Board meeting.</p>
Mountain/Desert Committee	<p>This committee provides ongoing policy-level oversight related to the full array of SANBAG responsibilities as they pertain specifically to the Mountain/Desert region.</p> <p>The committee also meets as the Mountain/Desert Measure I Committee as it carries out responsibilities for the Measure I Mountain/Desert Region Expenditure Plan. Membership consists of SANBAG Board Members from each Mountain/Desert jurisdiction and County Supervisors representing the First and Third Districts. The committee regularly meets at 9 a.m. on the third Friday of every month.</p>
Plans and Programs Committee	<p>This committee provides ongoing policy-level oversight for:</p> <ul style="list-style-type: none"> • The countywide Comprehensive Transportation Plan and input into the revisions of the Regional Transportation Plan. • Congestion Management Program (CMP) revisions, policies relative to deficiency plans, state and federal funding and programming requirements, and related issues. • Programs to implement or coordinate subregional or local transportation control measures. • Programming issues related to the CMP Capital Improvement Program, the Regional Transportation Improvement Program (RTIP) and air quality conformity. <p>The Plans and Programs Committee regularly meets at 12 noon on the third Wednesday of every month. The Committee has authority to approve contracts up to \$25,000 with notification to the Board.</p> <p>Membership consists of three city SANBAG Board Members from each of the West Valley, East Valley, and Mountain/Desert subregions and all County Supervisors. City members are elected by caucus of city SANBAG Board Members within the subarea.</p>

There are three ad-hoc committees that are listed on SANBAG's Policy Committee Membership roster. These include the Ad Hoc Committee on Debt Financing, the Ad Hoc

Committee to Review Council of Government Roles, and the Ad Hoc Committee on Litigation with San Bernardino County Flood Control District (Colonies Development). Each of these committees was formed and members appointed between June 2006 and May 2007 to address their specific issues.

In addition to the policy committees, there are three Technical Advisory Committees (TAC) that review and discuss selected regional and technical issues before these items are presented to policy committees and the Board of Directors. The first TAC is the City-County Managers Technical Advisory Committee (CCM-TAC), which meets to discuss issues of a regional nature and of mutual concern countywide and makes recommendations to the Board of Directors. Representatives include members of the County Administrative Office and the city manager or city administrator from each of the 24 cities in San Bernardino County. The CCM-TAC generally meets the third Thursday of the month at SANBAG's offices in San Bernardino.

The second TAC is the Comprehensive Transportation Plan Technical Advisory Committee (CTP-TAC), which comprises city engineers, public works directors and other technical representatives from San Bernardino County and individual cities countywide. The CTP-TAC reviews and discusses selected technical transportation issues and meets on the second Monday of the month.

The third TAC is the Public and Specialized Transportation Advisory and Coordination Council (PASTACC), which is the SANBAG-sponsored advisory body established under the California Transportation Development Act Section 99238. In San Bernardino County, PASTACC brings together public transit operators and social service transportation providers to discuss the mobility issues and challenges that confront seniors, persons with disabilities or persons of limited means. PASTACC members examine a wide range of topics at quarterly meetings for purposes of assisting SANBAG on matters related to social service transportation or public transportation services in San Bernardino County for the elderly, persons with disabilities or persons of limited means.

Agency Budget

According to the annual audited financial statements, SANBAG's annual revenue for the fiscal years covered by this audit ranged from \$310.7 million in FY 2006 to \$307.1 million in FY 2007 to \$286.7 million in FY 2008. This reflects a nearly 8 percent decrease over the last three years. Deteriorating economic conditions that led to declines in sales tax revenues for Measure I and the Local Transportation Fund, as well as fluctuations in state and federal revenues, contributed to the decrease in revenue. The winding down of major projects has also contributed to the reduced revenue.

SANBAG's annual expenditures ranged from \$282.8 million in FY 2006 to \$300.9 million in FY 2007 to \$289.7 million in FY 2008. This reflects a 6 percent increase between fiscal years 2006 and 2007, and then a 4 percent decrease between fiscal years

2007 and 2008. Over a three-year period, SANBAG salaries and wages increased 24 percent which recognizes the increase in staffing levels to manage its growing programs. The cost of staff salaries and benefits amounts to between 1.3 and 1.5 percent of the agency's annual total expenses.

Section II

RTPA Compliance Requirements

Fourteen key compliance requirements are suggested in the *Performance Audit Guidebook for Transit Operators and Regional Transportation Planning Agencies, September 2008 (third edition)*, which was developed by the Department of Transportation (Caltrans) and used to assess SANBAG's conformance with TDA. Our findings concerning SANBAG's compliance with State legislative requirements are summarized in Table II-1.

TABLE II-1 SANBAG Compliance Requirements Matrix		
SANBAG Compliance Requirements	Reference	Compliance Efforts
All transportation operators and city or county governments which have responsibility for serving a given area, in total, claim no more than those Local Transportation Fund (LTF) monies apportioned to that area.	Public Utilities Code, Section 99231	<p>SANBAG accounts for its claimants' areas of apportionment and has not allowed those claimants to claim more than what is apportioned for their area. SANBAG makes this finding in each adopted resolution approving LTF claims.</p> <p>Each claimant's apportionments follow the population formula prescribed by law.</p> <p>Conclusion: Complied.</p>
The RTPA has adopted rules and regulations delineating procedures for the submission of claims for facilities provided for the exclusive use of pedestrians and bicycles.	Public Utilities Code, Sections 99233.3 and 99234	<p>As described in the SANBAG TDA Application Manual, SANBAG has an adopted set of policies governing the Article 3 Bicycle and Pedestrian Facilities Program. SANBAG sets aside 20 percent of Article 3 revenue for a biennial call for projects for those bicycle and pedestrian projects that will improve access to transit stops. The remaining 80 percent is combined with Transportation Enhancement Activity funds and is allocated through a separate call for projects. Upon project approval, applicants have up to two years to complete the project.</p> <p>Conclusion: Complied.</p>

<p>TABLE II-1 SANBAG Compliance Requirements Matrix, continued</p>		
SANBAG Compliance Requirements	Reference	Compliance Efforts
<p>The RTPA has established a social services transportation advisory council. The RTPA must ensure that there is a citizen participation process which includes at least an annual public hearing.</p>	<p>Public Utilities Code, Sections 99238 and 99238.5</p>	<p>To meet compliance, SANBAG established the Public and Specialized Transportation Advisory and Coordination Council (PASTACC) as an advisory body to serve as the Citizens Advisory Committee (CAC) required under PUC 99238.5 and the Social Services Transportation Advisory Council required under PUC 99238. It serves as a forum where public transit operators and social service transportation providers can discuss mobility issues that confront seniors, persons with disabilities, or persons with limited means.</p> <p>Conclusion: Complied</p>
<p>The RTPA has annually identified, analyzed and recommended potential productivity improvements which could lower the operating costs of those operators which operate at least 50 percent of their vehicle service miles within the RTPA's jurisdiction. Recommendations include, but are not limited to, those made in the performance audit.</p> <ul style="list-style-type: none"> • A committee for the purpose providing advice on productivity improvements may be formed. • The operator has made a reasonable effort to implement improvements recommended by the RTPA, as determined by the RTPA, or else the operator has not received an allocation which exceeds its prior year allocation. 	<p>Public Utilities Code, Section 99244</p> <p>(continued on next page)</p>	<p>SANBAG administers a Productivity Improvement Program, which requires operators to report on a number of performance measures.</p> <p>In conjunction with the annual TDA claims, SANBAG requires each transit operator or claimant to annually submit a Productivity Improvement Progress Report on its productivity efforts. SANBAG reviews the reports in the context of the operator's TDA claim. SANBAG identifies three topics for the reports: performance measures, performance audit recommendations, and specific claimant-initiated efforts to improve productivity. SANBAG also commissions short-range transit plans that assess operator performance and make recommendations for service improvement.</p> <p>Sufficient information must be provided by the operators to</p>

TABLE II-1 SANBAG Compliance Requirements Matrix, continued		
SANBAG Compliance Requirements	Reference	Compliance Efforts
		<p>enable SANBAG to determine if a reasonable effort was made to implement the recommendations. This includes a discussion of the efforts taken to implement recommendations from the audits, identification of any problems, the success or difficulties of implementing recommendations, and the next steps that will be taken to further implementation.</p> <p>From a review of TDA claims during the audit period, there did not appear to be a consistent submittal of productivity improvement program reports from the transit claimants covering each of the three topic areas such as the status of implementing performance audit recommendations. TransTrack is also intended to standardize the performance data that operators submit to SANBAG, but the operating data has contained inaccuracies and has not yet been utilized as envisioned. Additional effort should be made to comply with this TDA requirement.</p> <p>Conclusion: Partial Compliance</p>
The RTPA has ensured that all claimants to whom it allocates Transportation Development Act (TDA) funds submit to it and to the state controller an annual certified fiscal and compliance audit within 180 days after the end of the fiscal year (December 27). The RTPA may grant an extension of up to 90 days as it deems necessary (March 26).	Public Utilities Code, Section 99245	<p>For the three-year audit period, SANBAG has received most of the fiscal and compliance audits from the claimants by the established dates set by the State Controller. However, a few transit fiscal and compliance audits for the transit operators for FY 2007-08 were late due to a change in reporting format.</p> <p>Conclusion: Partial Compliance</p>

<p align="center">TABLE II-1 SANBAG Compliance Requirements Matrix, continued</p>		
SANBAG Compliance Requirements	Reference	Compliance Efforts
<p>The RTPA has designated an independent entity to conduct a performance audit of operators and itself (for the current and previous triennium).</p> <p>For operators, the audit was made and calculated the required performance indicators, and the audit report was transmitted to the entity that allocates the operator's TDA monies and to the RTPA within 12 months after the end of the triennium. If an operator's audit was not transmitted by the start of the second fiscal year following the last fiscal year of the triennium, TDA funds were not allocated to that operator for that or subsequent fiscal years until the audit was transmitted.</p>	<p>Public Utilities Code, Sections 99246 and 99248</p>	<p>For the current three-year audit, SANBAG has retained PMC to conduct the audit of SANBAG and the six transit operators. The operator audits include calculation of the required TDA performance indicators.</p> <p>Arthur Bauer & Associates, Inc. was retained to conduct the previous audit for the three fiscal years that ended June 30, 2005.</p> <p>Conclusion: Complied</p>
<p>The RTPA has submitted a copy of its performance audit to the Director of the California Department of Transportation. In addition, the RTPA has certified in writing to the Director that the performance audits of the operators located in the area under its jurisdiction have been completed.</p>	<p>Public Utilities Code, Section 99246(c)</p>	<p>SANBAG submitted a written letter to Caltrans certifying compliance with this requirement. The letter was enclosed with the FY 2002-03 through 2004-05 performance audit of SANBAG.</p> <p>Conclusion: Complied</p>
<p>The performance audit of the operator providing public transportation service shall include, but not be limited to, a verification of the operator's operating cost per passenger, operating cost per vehicle service hour, passengers per vehicle service mile, and vehicle service hours per employee, as defined in Section 99247. The performance audit shall include, but not be limited to, consideration of the needs and types of passengers being served and the employment of part-time drivers and the</p>	<p>Public Utilities Code, Section 99346(d)</p> <p>(continued on next page)</p>	<p>The performance audits of the operators include all required TDA performance measure plus additional indicators to further assess each operator's efficiency, effectiveness and economy with the use of TDA funds.</p> <p>Conclusion: Complied</p>

TABLE II-1 SANBAG Compliance Requirements Matrix, continued		
SANBAG Compliance Requirements	Reference	Compliance Efforts
contracting with common carriers of persons operating under a franchise or license to provide services during peak hours, as defined in subdivision (a) of Section 99260.2.		
The RTPA has established rules and regulations regarding revenue ratios for transportation operators providing services in urbanized and new urbanized areas.	Public Utilities Code, Section 99270.1 and 99270.2	There is one transit operator under SANBAG's jurisdiction, Victor Valley Transit Authority (VVTA), which serves both urbanized and non-urbanized areas. SANBAG has developed and adopted rules and regulations in 1997 with Caltrans' approval for determining the minimum fare ratios for the transit operators. For VVTA, the minimum farebox recovery ratio is 15 percent for fixed route service and 10 percent for ADA demand response. Conclusion: Complied
The RTPA has adopted criteria, rules and regulations for the evaluation of claims under Article 4.5 of the TDA and the determination of the cost-effectiveness of the proposed community transit services.	Public Utilities Code, Section 99275.5	Not applicable, as SANBAG only allocates transit funds through Article 4 and Article 8 claims at the time of the audit. Conclusion: Not Applicable
State transit assistance funds received by the RTPA are allocated only for transportation planning and mass transportation purposes. (Note: The June 5, 1990, passage of Proposition 116 no longer allows the use of state transit assistance funds for street and road purposes, as had been permitted in certain cases under PUC Section 99313.3.)	Public Utilities Code, Sections 99310.5 and 99313.3 and Proposition 116	SANBAG allocates State Transit Assistance (STA) funds for transit services only. Per SANBAG policy, STA is primarily used to fund transit capital projects. Conclusion: Complied

TABLE II-1 SANBAG Compliance Requirements Matrix, continued		
SANBAG Compliance Requirements	Reference	Compliance Efforts
The amount received pursuant to Public Utilities Code, Section 99314.3, by each RTPA for state transit assistance is allocated to the operators in the area of its jurisdiction as allocated by the State Controller's Office.	Public Utilities Code, Section 99314.3	SANBAG administers STA funds in accordance with the relevant PUC requirements (i.e., on the basis of population and operator revenues). Conclusion: Complied
<p>If TDA funds are allocated to purposes not directly related to public or specialized transportation services, or facilities for exclusive use of pedestrians and bicycles, the transit planning agency has annually:</p> <ul style="list-style-type: none"> • Consulted with the Social Services Transportation Advisory Council (SSTAC) established pursuant to Public Utilities Code, Section 99238; • Identified transit needs, including: <ul style="list-style-type: none"> ○ Groups that are transit-dependent or transit-disadvantaged, ○ Adequacy of existing transit services to meet the needs of groups identified, and ○ Analysis of potential alternatives to provide transportation services; • Adopted or re-affirmed definitions of "unmet transit needs" and "reasonable to meet"; • Identified the unmet transit needs and those needs that are reasonable to meet; • Adopted a finding that there are no unmet transit needs; that there are no unmet transit needs that are reasonable to meet; or that there are unmet transit needs including needs that are reasonable to meet. 	<p>Public Utilities Code, Section 99401.5</p> <p>(continued on next page)</p>	<p>TDA funds are used exclusively for public transit in the San Bernardino Valley (Omnitrans and Metrolink). In the mountain and high desert regions, TDA revenues may be used for streets and roads, as is the case for local jurisdictions comprising VVTA and MBTA, as well as City of Needles. City of Big Bear Lake and City of Barstow currently use all TDA for transit. SANBAG conducts the unmet transit needs hearings in concert with each of the transit operators and in consultation with the PASTACC. Annual unmet needs hearings are typically held in Victorville (upper desert region), Big Bear Lake/Crestline (mountain region) and Joshua Tree (lower desert region). Findings of the unmet needs process are reaffirmed by the entire SANBAG Board. The definitions of "unmet transit needs" and "reasonable to meet" are reaffirmed annually, and findings of the unmet needs process are adopted through Board resolution.</p> <p>LTF funds have only been allocated to streets and roads after completion of the unmet needs process.</p> <p>Conclusion: Complied</p>

TABLE II-1 SANBAG Compliance Requirements Matrix, continued		
SANBAG Compliance Requirements	Reference	Compliance Efforts
If a finding is adopted that there are unmet transit needs, these needs must have been funded before an allocation was made for streets and roads.		
The RTPA has caused an audit of its accounts and records to be performed for each fiscal year by the county auditor or a certified public accountant. The RTPA must transmit the resulting audit report to the State Controller within 12 months of the end of each fiscal year and must be performed in accordance with the Basic Audit Program and Report Guidelines for California Special Districts prescribed by the State Controller. The audit shall include a determination of compliance with the transportation development and accompanying rules and regulations. Financial statements may not commingle the state transit assistance fund, the local transportation fund, or other revenues or funds of any city, county or other agency. The RTPA must maintain fiscal and accounting records and supporting papers for at least four years following the fiscal year close.	California Administrative Code, Section 6662	<p>The accounting firm of McGladrey & Pullen, LLP conducted the financial audit of SANBAG for FY 2006, and the accounting firm of Vavrinek, Trine, Day & Co., LLP conducted the audit for FYs 2007 and 2008. The Comprehensive Annual Financial Report was submitted to the State Controller within 12 months of the end of each fiscal year. Submittal dates were November 20, 2006, for the FY 2006 audit; March 6, 2008, for the FY 2007 audit; and December 22, 2008, for the FY 2008 audit.</p> <p>Conclusion: Complied</p>

Findings and Observations from RTPA Compliance Requirements Matrix

In our opinion, SANBAG has satisfactorily complied with most State legislative mandates for Regional Transportation Planning Agencies. One compliance measure was not applicable. A few compliance areas were partially met, including the mandate for SANBAG to analyze and recommend potential productivity improvements for the transit operators, as well as to ensure the fiscal and compliance audits were submitted to the State according to the statutory timelines. A few of the FY 2007-08 TDA fiscal audits of the transit operators were not submitted to the State on time due to a change in reporting format.

To its credit, SANBAG has conducted extensive outreach during the annual unmet transit needs process by holding at least three public hearings in various locations throughout the Mountain/Desert Region to take public testimony and by accepting written and Internet correspondence. The public hearings are held where public transit services are provided in each subregion. TDA statute requires at least one public hearing whereas SANBAG sponsors three.

Section III

Prior Triennial Performance Audit Recommendations

This chapter describes SANBAG's response to the recommendations included in the prior triennial performance audit prepared by Arthur Bauer & Associates, Inc. For this purpose, each prior recommendation for the agency is described, followed by a discussion of the agency's efforts to implement the recommendation. Conclusions concerning the extent to which the recommendations have been adopted by the agency are then presented.

Prior Recommendation 1

Develop a succession strategy to ensure continuity in the management of the TDA program upon the retirement of key staff.

Actions taken by SANBAG: The Director of Transit and Rail Programs retired in January 2009 and has been working on a limited contract basis to ensure continuity with the current recruitment of a new director. The TDA program managed by SANBAG comprises several aspects such as the ongoing claims processing and funding, monitoring transit performance, coordinating transit advisory meetings, providing grant assistance, and conducting the annual unmet transit needs hearings. Many of these programs are managed by SANBAG transit staff including the Senior Transit Analyst and Transit Analyst. There is also a Transit Specialist position that is currently vacant which is intended to assist with transit and TDA administration. Staff has been able to focus on the administration and implementation side of TDA and transit operations while the Director of Transit and Rail Programs has been able to focus more on transit policy.

SANBAG is anticipating that the new director will be versed in both transit and rail programs, and can continue the successful management of these programs. While any transition in top management presents challenges, most TDA programming is already being administered by the current transit analysts. In addition, the continued work by the recently retired director on a contract basis has helped during this transition period.

As a note to our observation, because of the complexities and resource effort associated with managing the components of TDA, consideration should be given to ensuring staff development that enables senior staff and management to continue training analysts and others regarding the responsibilities and compliance with TDA to provide a seamless knowledge transfer and high level of competency within the agency.

Conclusion: This recommendation has been implemented in that the transit analysts have assumed much of the TDA administration and management during the transition period of recruiting for a new Director of Transit and Rail Programs. As follow up, it is recommended that continuous training in the various programs and compliance requirements of TDA be offered to transit staff to ensure a seamless knowledge transfer and high level of competency within the agency.

Prior Recommendation 2

Update the Transportation Development Act Fund Application Manual to reflect changes in the statutes.

Actions taken by SANBAG: The TDA Fund Application Manual that was developed in October 2002 continues to be the current document issued by SANBAG. Staff has not had the opportunity to update the document to include new provisions in state law that impact TDA. In addition, SANBAG has transitioned to the use of TransTrack as the primary performance reporting tool which replaces the previous TOPRS program. The updated TDA manual should also reflect changes to its TDA claims forms which have been updated recently. The FY 2009-10 SANBAG budget includes resources to conduct the update.

Conclusion: This recommendation has not been implemented.

Follow-up: This recommendation is carried forward in this audit for full implementation.

Section IV

Detailed Review of RTPA Functions

In this section, a detailed assessment of SANBAG's functions and performance as a RTPA during this audit period is provided. Adapted from Caltrans' *Performance Audit Guidebook for Transit Operators and Regional Transportation Planning Agencies, September 2008 (third edition)*, SANBAG's activities can be divided into the following activities:

- Administration, Management and Coordination
- Transportation Planning and Programming
- TDA Claimant Relationships and Oversight
- Public Information and External Affairs
- Grant Application and Management

Administration, Management and Coordination

SANBAG's mission is to enhance the quality of life for all residents in San Bernardino County by:

- Improving cooperative regional planning
- Developing an accessible, efficient, multimodal transportation system
- Strengthening economic development efforts
- Exerting leadership in creative problem solving

The SANBAG Board of Directors approved this mission statement on June 2, 1993, and reaffirmed it on March 6, 1996.

Staffing

SANBAG has seen notable changes and challenges in staffing during the audit period, particularly at the senior management and executive leadership level. The agency has recruited two new Executive Directors in the past three years, the first holding the position for about two years and the current Executive Director holding the position for about a year. The current Executive Director is an internal hire and formerly the Director of Management Services and Mountain/Desert Subregional Policies. This latter position was filled in August 2008 after being vacant for about a year. A new Director of Freeway

Construction was also hired in the last year. SANBAG is moving toward developing in-house capabilities to manage large-scale freeway construction projects.

As part of the staffing changes, there have been four Chief Financial Officers during the audit review period, each having different financial backgrounds. The current CFO brings municipal finance experience, having been recruited from a local city in Los Angeles County. There was turnover in the Accounts Manager position as well in the finance department. In addition, the Director of Transit and Rail Programs announced his retirement effective January 2009 but has continued on a part-time basis as a contract employee as the agency actively recruits for a replacement. Changes in top management have occurred as the agency continues to grow in overall staff, mainly in the Administrative/Professional Group.

According to the SANBAG FY 2008-09 budget, total staff grew from about 34 positions in FY 2007 to 40 in FY 2008, with plans for up to 43 positions during FY 2009 (these include Chief of Alternative Project Financing, Transportation Planning/Programming Analyst, and Transit Specialist). Support staff and senior management staff have remained constant, while administrative and professional level staff have increased from 14 positions to 23 positions. These additional positions included the hiring of a Transit Analyst in August 2006.

WTS is an international organization dedicated to the professional advancement of women in transportation. More than half of SANBAG employees are members of the Inland Empire Chapter of WTS, including five executive staff and four who serve in chapter leadership roles.

Capital Project Development

Projects are prioritized on a regional basis and documented through expenditure plans and programming documents that have been approved through review and consensus building. Through the development of comprehensive planning documents and compliance with state and regional transportation programming requirements, the agency is able to stimulate project development. The collaboration among the departments within SANBAG and its partners has enabled capital projects to receive funding and be delivered, especially projects funded through the Measure I local sales tax and the local transportation fund.

Guidance on implementation of Measure I is provided through the Measure I Strategic Plan which provides for the allocation and administration of local, state and federal transportation revenues. SANBAG also acts as the pass-through agency for Measure I and LTF funding and disperses the funds to cities, subareas, transit operators and other claimants. Pass-through funds have ranged from \$109 million to \$133 million per year over the last three years.

Internal Controls

The SANBAG annual budget is a working document that is task driven and identifies the specific work elements that SANBAG will undertake for the coming fiscal year. As SANBAG continues to grow in staff, the interaction between the departments as well as with its stakeholders also becomes more complex. For example, the relationship between programming and capital development becomes more crucial as funding requirements need to be in place for project delivery. This brings to light the process that SANBAG is undertaking to formalize its internal practices.

SANBAG is updating its financial software, having outgrown its current system, and recently installed and tested a new system. Tyler Technologies, Inc. is supplying SANBAG with the EDEN financial management software, including core financial and human resource applications. In addition to software licenses, the contracts include related professional services, ongoing maintenance and support. The software features Project Accounting and Contract Management applications that respond to the specific needs of special districts. Project Accounting will provide the agency with multi-year, multi-phase project tracking and reporting, as well as the ability to carry forward from one budget year to the next.

The EDEN software package supports multiple internal and external funding, including local measures and federal and state grants. SANBAG will have the ability to prioritize funding sources and define percentages with the revenue allocation feature. The system also simplifies the reimbursement process by automating the creation of general journal entries and accounts receivable invoices for reimbursement requests. SANBAG is contracting with the County to provide project management of the financial system integration which is anticipated to go live in July 2009.

In conjunction with the financial system overhaul, SANBAG is documenting current desk procedures and policies as a means to communicate the standard operating procedures in light of management turnover. Any financial policy changes have been placed on hold until the new financial system is functional. The current CFO is also redesigning the chart of accounts to meet the agency's needs resulting from continued growth.

Another important endeavor being conducted by SANBAG is to improve the quality of documents presented to the Board. The objective is to improve communication between staff and Board members. After a gap of about five years between Board workshops, a recent workshop was held which identified several priorities for the agency. One priority is to further enhance a regional identity in order to bridge the interests of the San Bernardino Valley and Mountain/Desert areas. A second priority involves increased collaboration and cooperation in the area of legislative advocacy, which would also help to guide overall policy and enable the Board to speak with a more unified voice. A notable strength of the Board is to convene and find consensus on a host of issues. Another priority involves expanding SANBAG's activities as a COG, which would involve addressing the mortgage foreclosure crisis, water conservation, and climate

change conformity (AB 32/SB 375). However, obstacles to this endeavor include limited funding sources and local views about the impact of state legislation like climate change and sustainability.

Personnel Management

Personnel management at SANBAG is the charge of the Director of Management Services. The current director has been with SANBAG since August 2008, slightly outside the audit period. The predecessor to the current director is currently the Executive Director. An Administrative Services Specialist was added to the department with a focus on general human resources and facilities management.

Based on the recommendation of a general audit, a specific policy on fraud was instituted. This new policy includes anonymous reporting procedures and protections as well as establishes a high standard of ethics.

SANBAG's Policies Manual is kept current and posted on the agency's Intranet system. This format makes it easier to keep up with the changes. Updates are also announced at staff meetings. The agency also instituted a flexible work schedule, known as the "9/80," which allows employees to work a nine-hour day and have every other Friday off. This new schedule is not mandatory and requires some adjustments in order to maintain adequate staffing levels, such as senior management being available on an on-call basis. Most SANBAG employees are classified as "exempt" or salaried. A classification compensation study is being conducted.

SANBAG's employee benefits are coordinated through the County of San Bernardino. The agency contributes to the San Bernardino County Employees' Retirement Association (SBCERA), a cost-sharing, multiple employer, defined benefit pension plan. SBCERA provides members retirement, death, disability, and cost-of-living benefits. SANBAG employees also have access to several health insurance plans (Health Net HMO/PPO and Kaiser Permanente HMO), a 457 deferred compensation plan and an Employee Assistance Program (EAP). Payroll processing services are also handled through the County.

Transportation Planning and Programming

This functional area addresses planning functions required of SANBAG, including development of the Regional Transportation Improvement Program and the Congestion Management Program, Bicycle and Pedestrian Facilities Program, and Transit Planning including the Short Range Transit Planning process. Additional transportation programs administered by the agency are also discussed, including Freeway/Roadway Construction, Commuter Assistance Program and the Motorist Assistance Program. Lastly, the Measure I program is described as a major funding source for transportation improvements.

Regional Transportation Improvement Program (RTIP)

SANBAG is responsible for preparing the Regional Transportation Improvement Program (RTIP) for San Bernardino County projects that have been approved for federal and state funding. The RTIP is a listing of all capital improvement projects spanning a six-year period. Federal fund sources that SANBAG allocates include those prescribed through SAFETEA-LU, and State fund sources include programs created through the Proposition 1B Bond, State Transportation Improvement Program (STIP) and Regional Improvement Program (RIP).

Federal regulations require that all projects funded with state and federal funds be included in a RTIP in order to receive the funds. In addition, projects that are regionally significant but locally funded are also required to be included in the RTIP.

The RTIP is prepared to implement projects and programs in the Regional Transportation Plan (RTP), a 30-year, financially constrained, long-range planning document. SANBAG submits the county RTIP to the Southern California Association of Governments (SCAG), the Metropolitan Planning Organization (MPO) for the six-county region (Orange, Los Angeles, Imperial, Riverside, San Bernardino, and Ventura counties). SCAG is responsible for ensuring that the RTIP is consistent with the Regional RTP and adopted air plans. SCAG is the responsible agency for submittal of the RTIP to federal agencies for approval. The RTIP is generally updated every two years with amendments occurring between updates.

Congestion Management Program

SANBAG is the designated Congestion Management Agency (CMA) for San Bernardino County. As a CMA, SANBAG is responsible for developing a program that better links land use, transportation and air quality that prompt growth management strategies. The Congestion Management Plan (CMP) identifies deficiencies in the County transportation network that inhibit these growth strategies. The CMP involves the monitoring of congestion along a designated system that includes all highway facilities and selected major arterials. The system is monitored to ensure that the level of service along these roadways does not fall below the adopted level of service. Should a roadway fall to a deficient level of service, a deficiency plan would be required to identify mitigation measures including cost and a schedule of the recommended mitigation measures.

Bicycle and Pedestrian Facilities Program

As an important piece of the County transportation system, non-motorized transportation is encouraged by SANBAG. In its efforts, the agency administers a biennial Call for Projects process for bicycle and pedestrian facilities. Article 3 of TDA provides that 2 percent of LTF be set aside for the implementation of bicycle and pedestrian facilities.

In August 1999, the SANBAG Board approved a policy that 20 percent of TDA Article 3 funds would be made available for projects that improve access to bus stops for pedestrians and persons with disabilities. The remaining 80 percent would be available for pedestrian and bicycle facilities. Upon approval of a project list by the SANBAG Board, Article 3 funds will be allocated to the project sponsor agency. Allocated funds remain available for two full fiscal years after the year of Board approval.

Proposed projects are reviewed by an evaluation committee. The evaluation committee, using the criteria contained in the Call for Projects, assigns each proposed project a score. The evaluation committee comprises two SANBAG staff, engineering, public works or parks and recreation representatives from two cities/towns and the County, and one member from an adjacent county transportation commission. The evaluation committee presents its recommendation to the SANBAG Plans and Programs Committee who in turn forwards its recommendation to the full SANBAG Board.

The allocations are based on 2 percent of TDA fund apportionments, as allowed by law, plus carryover funds from prior years. According to the SANBAG budget, in April 2007, the SANBAG Board approved a list of projects from the biennial Call for Projects totaling \$870,390 for transit access improvements and \$3,480,617 for bicycle and pedestrian projects. The next Call for Projects took place in the fall 2008.

Transit Planning including the Short Range Transit Planning Process

SANBAG is responsible for the coordination of transit among all of the operators in the county to ensure an efficient delivery of services. In this capacity, the agency has provided a regional perspective to facilitating the provision of public transit by the six transit operators and SCRRA. As the County Transportation Commission, SANBAG requires each transit operator to prepare a multi-year operating and capital plan every other year. This Short-Range Transit Plan (SRTP), or Operations Analysis, provides basic information about the transit services provided by each operator, including performance, needs, deficiencies and a proposed plan for operations and capital investments covering the next five years. The SRTP, which replaces the prior Transit Operating and Capital Plan, provides the basis for services and capital projects that are programmed in TIP documents that are approved by SANBAG, SCAG and federal grant awarding agencies like the Federal Transit Administration (FTA) for capital grants.

During the audit period, SANBAG commissioned an operations analysis for each of the transit operators, except Needles. Each SRTP provided recommendations for alternative service provision and benchmark performance measures to gauge productivity. Many of the recommendations have been implemented by the respective operators. However, LTF receipts and reserves have been trending lower due to the economic downturn resulting in required efforts by each transit agency to assess current service provision. This has particularly impacted larger operators such as Omnitrans which prepared its updated five-year SRTP that is not financially constrained and with a relatively ambitious farebox recovery goal of 25 percent.

Regional transit goals are developed and coordinated with the timing of completion of each transit agency's Operations Analysis/SRTPs, along with the SANBAG Long Range Transit Plan (LRTP) that is still under way. The LRTP is a high-level document that is assessing land use and population characteristics that support key bus rapid transit corridors and a transit supportive network. The service and policy recommendations contained in each of these transit plans contain funding assumptions of allocations from revenue such as new Measure I funds to transit, which include commuter rail and express buses, bus rapid transit, and specialized services. It will be important for SANBAG to continue to clearly convey its supporting role to the transit operators and to assist with providing efficient and effective service while meeting regional goals and conforming to state and federal mandates.

In regard to SCRRA's Metrolink commuter rail services in San Bernardino County, SANBAG released the Passenger Rail SRTP for Fiscal Year 2008–2012 in May 2007. The Passenger Rail SRTP reflects SANBAG's share of the Metrolink operating and capital plan for the San Bernardino, Inland Empire Orange County and Riverside lines, as well as the future Redlands Passenger Rail and Gold Line Extension projects.

SANBAG has taken a more active role in helping member agencies with budgeting and operational issues, attributable in part to additional transit staff being hired including the Transit Analyst in August 2006. Pursuant to the federal SAFETEA-LU requirements, SANBAG completed a Public Transit-Human Services Transportation Coordination Plan for San Bernardino County in January 2008, which guides the use of certain federal transit funding sources. The federal transportation law includes funding programs that provide additional resources for special projects that could meet anticipated demand. Such funding sources include the Social Service Transportation Coordination Program (FTA Section 5310) and the Job Access and Reverse Commute Program (JARC) (FTA Section 5316) which became a formula program under SAFETEA-LU. JARC might be used for transit services to transport welfare recipients and other low-income individuals to employment. The New Freedom Program (FTA Section 5317) is a formula grant program that could address transportation services and capital improvements that go beyond those required by the American with Disabilities Act (ADA).

SANBAG has also been coordinating planning efforts between corridor cities in the San Bernardino Valley, such as Redlands and San Bernardino, which involve land use analyses of Transit-Oriented Development (TOD) around proposed station locations and the densities that would be TOD supportive. As part of receipt of federal small starts funding, the FTA reviews the modeling efforts employed for these corridor projects which have resulted in modeling issues. FTA wants SANBAG to use the SCAG regional model for local service projections for these corridor cities. A model agreement is being worked out.

Freeway/Roadway Construction

SANBAG serves as the lead agency for many construction projects, and provides funding support for projects overseen by other agencies. Major roadway projects are funded by a variety of revenue sources, including local Measure I and state and federal funds. During the audit period, several significant construction projects were completed. One of the largest freeway projects funded and completed during the audit period was State Route 210, also known as the Foothill Freeway, which covers some 28 miles between La Verne and San Bernardino. Construction of the last 8 miles of State Route 210, in Rialto and San Bernardino, was completed in mid-2007. Another significant project is the widening of Interstate 215 between Interstate 10 and State Route 210, which began in January 2007. In the fall of 2007, the Interstate 10 widening project in Redlands was completed, with the opening of a new eastbound and westbound lanes. Finishing work was completed in 2008. Major street improvements throughout the San Bernardino Valley were also completed with SANBAG assistance including major roadway rehabilitation, construction or reconstruction of arterial streets, and grade separations.

SANBAG's Program Management Consultant develops a Major Projects Quarterly Project Status Briefing document. The document is intended to communicate project information between SANBAG staff and the SANBAG Board. Projects are organized by type – mainline project, segment project, interchange project, and grade separation project – the current phase of the project, and the roadway corridor. Most highway projects include improvements along the I-10 and I-215 corridors, while grade separation projects are on local streets.

Commuter Assistance Program

The focus of the Commuter Assistance Program is to improve mobility throughout the transportation system by encouraging commuters to make a mode-shift decision away from solo vehicle commuting. SANBAG offers a comprehensive list of programs and outreach under the umbrella of Commuter Assistance which helps foster more efficient use of the transportation system and reduces congestion and vehicle emissions.

In addition to outreach to employees through employer channels, SANBAG promotes the Commuter Assistance Program online and in print. The most prominent and versatile outreach element of the Commuter Assistance Program is <http://www.commutersmart.info>. Here, commuters can go online and find a ridematch, access bus/rail information, and locate traveler information to help them make smart travel decisions and assist SANBAG in its mobility enhancement/congestion avoidance goals. There are about 350,000 names in the rideshare database, with 75,000 of them being active registrants. The Riverside County Transportation Commission maintains the rideshare database on behalf of the following neighboring counties: Los Angeles, Orange, San Bernardino and Ventura. SANBAG provides reimbursement to RCTC for managing the service. In addition, the Commuter Exchange, a 40-foot mobile information center with interactive rideshare displays and collateral, is another mode of outreach that attends

public events, school and employer functions to increase the public's awareness of ridesharing programs available to them.

Motorist Assistance Program

Service Authority for Freeway Emergencies

SANBAG has served as the designated Service Authority for Freeway Emergencies (SAFE) for San Bernardino County since 1990. SAFE is known for the call boxes along major highways that enable stranded motorists to phone for assistance. Between 2005 and 2007, the call boxes were converted from analog to digital signal. With the expansion in the use of cellular phones, however, the trend in call box usage has declined. Table IV-1 shows the trend in usage over the last three years.

**Table IV-1
SAFE Program Usage**

Fiscal Year	Number of Calls	Number of Call Boxes	Annual Change in Calls
2006	25,873	1,502	-21%
2007	20,499	1,438	-21%
2008	18,257	1,395	-11%

Source: SANBAG

Freeway Service Patrol

SANBAG administers the Freeway Service Patrol (FSP) in conjunction with the CHP and Caltrans. The FSP began in 2006 and provides quick motorist assistance during peak traffic conditions and in construction zones. Five tow truck contractors are used to provide 16 roving tow trucks along major freeways covering about 60 miles. The service corridors and corresponding eight beats are shown in Table IV-2.

**Table IV-2
San Bernardino County Beat Summary**

Beat Number	Description	Length in Miles
Beat 1	I-10 Indian Hill Blvd. to Haven Avenue	8.70
Beat 2	I-10 Haven Avenue to Sierra Avenue	8.05
Beat 3	I-10 Sierra Avenue to Waterman Avenue	9.04
Beat 4	SR-60 Reservoir Street to Milliken Avenue	9.96
Beat 5	I-15 Jurupa Street to I-15 Baseline Avenue	7.72
Beat 6	I-215 Center Street to 2 nd Street	6.79
Beat 7	I-215 2 nd Street to University Parkway	4.84
Beat 8	I-10 Waterman Avenue to Orange Street	5.65
Total Mileage Covered		60.75

Source: SANBAG

The FSP operates during peak commute hours from 5:00 a.m. to 8:30 a.m. and between 3:00 p.m. and 7:00 p.m., which amounts to 7.5 hours per day. FSP is also utilized in construction zones. The number of beats has grown during the audit period. More than one-third of all FSP assists involve information and general assistance calls, followed by flat tires and mechanical failures. Table IV-3 shows the number of incidents for all corridors from January 2006 through September 30, 2008.

Table IV-3
FSP Program Assists

Category	Number of Incidents	Percentage
Abandoned Vehicle	6,737	7.1%
Accident	5,842	6.2%
Debris Removal	4,369	4.6%
Electrical Problem	3,137	3.3%
Flat Tire	14,747	15.6%
Information/Assistance	34,312	36.3%
Locked Out	53	0.1%
Mechanical Problem	12,407	13.1%
Out of Gas	7,958	8.4%
Overheated	4,800	5.1%
Unable to Locate	44	0.0%
Vehicle Fire	81	0.1%
Total	94,487	100.0%

Source: SANBAG

Measure I

As the County Transportation Authority, SANBAG administers the 20-year voter-approved countywide half-cent sales tax under the purview of Measure I. Measure I was approved by voters in November 1989 to provide revenues toward a variety of transportation improvements such as major freeway construction, commuter rail service, local street and road improvements, public transit for senior and disabled persons, and traffic management and environmental mitigation efforts. The measure is set to expire in 2010.

Measure I funds are allocated based on distinct regional formulas. For the Mountain/Desert Region, 65 percent of funds are spent on major arterial streets and roads. Another 30 percent is spent on local streets and roads, and the remaining 5 percent is spent on paratransit fare and service subsidies for seniors and the disabled. In the San Bernardino Valley, Measure I funds are allocated using a different formula. More than 80 percent of funds are allocated in a “pool” toward projects of regional significance, such as freeway improvements, major arterials, Metrolink, Omnitrans, traffic management and

environmental mitigation. The remaining funds are allocated to cities and unincorporated communities for improvements to local streets and roads.

As described earlier, the largest freeway project funded by Measure I is the construction of State Route 210 (Foothill Freeway) between La Verne and San Bernardino, completed in mid-2007. Other significant projects funded in part by Measure I is the widening of Interstate 215 between Interstate 10 and State Route 210, and Interstate 10 widening project in Redlands.

In November 2004, county voters approved a 30-year extension of Measure I through March 2040. SANBAG approved the Measure I 2010-2040 Strategic Plan in March 2009, which is the policy manual for delivering Measure I 2010-2040 programs by SANBAG and its member agencies.

According to the SANBAG financial audits, Measure I sales tax revenues have been declining due to the economic downturn. After experiencing a 12 percent increase from FY 2005 to FY 2006, revenues have shown a steady decline as shown Table IV-4.

Table IV-4
Measure I Revenues

Fiscal Year	Revenues	Annual Rate of Growth/Decline (+/-)
2005	\$131,902,744	-
2006	\$148,073,689	+12%
2007	\$147,929,491	- 1%
2008	\$140,547,350	- 5%

Source: SANBAG Financial Audits FY 2006-2008

TDA Claimant Relationships and Oversight

As the designated County Transportation Commission, SANBAG is responsible for the administration of the TDA program. This functional area addresses SANBAG's interaction with the transit operators in San Bernardino County and its administration of the provisions of TDA. The sub-functions described include costs to administer the program, technical and managerial assistance to operators, TDA claims processing and the unmet transit needs process.

SANBAG Administration and Planning

The uses of TDA revenues apportioned to San Bernardino County flow through a priority process prescribed in state law. Prior to apportionment of funds to the Bicycle and Pedestrian Facilities Program and the transit operators, SANBAG is able to claim TDA

revenues for administration of the fund and for transportation planning and programming purposes. SANBAG apportions 3 percent of LTF for Planning and Programming as allowed by statute. The limit does not apply to fund administration, but SANBAG has been responsible in the amount it claims. In addition, SANBAG allocates revenues to SCAG for planning purposes as a member of the regional agency. During the audit years of 2006 through 2008, SANBAG apportioned the following LTF amounts (Table IV-5):

Table IV-5
Adopted LTF Apportionments for
SANBAG Administration,
Planning and Programming

Fiscal Year	Total LTF Available ⁽¹⁾	SANBAG Administration of TDA	SANBAG Planning & Programming	Total SANBAG Allocations
2006	\$69,300,000	\$390,000	\$2,079,000	\$2,469,000
2007	\$79,875,000	\$300,000	\$2,396,250	\$2,696,250
2008	\$81,590,000	\$350,000	\$2,447,700	\$2,797,700

(1) Total annual LTF receipts estimated per SANBAG/County Auditor. Excludes STAF.

Source: SANBAG Board adopted apportionments and fund estimate.

Technical and Managerial Assistance to Operators

With the addition of a Transit Analyst in August 2006, SANBAG has had the staff capability to be more hands-on and engaged with the transit operators. Direct interface with the operators has been enhanced through communications, attendance at unmet transit needs hearings and PASTACC meetings, as well as review of operating performance through each operator's respective Short Range Transit Plan. SANBAG also has the staff capability to be a direct partner in the planning and development of the San Bernardino Express (SBX) project being implemented by Omnitrans. By having additional transit staff focus on transit operations, the Director of Transit and Rail Programs is able to focus more on policy and to respond faster to funding and high-level decision-making for both commuter rail and public transit.

As a requirement of TDA, SANBAG is responsible for identifying, analyzing and recommending potential productivity improvements in collaboration with the transit systems under its jurisdiction. The SANBAG TDA Application Manual discusses the agency's Productivity Improvement Program (PIP) as a means to fulfill this obligation. Productivity improvement recommendations for transit operators are divided into three categories: performance measures, performance audit recommendations, and specific operator or claimant initiated efforts to improve productivity. The commissioning of short-range transit plans in lieu of the transit operating and capital plans also provides technical recommendations to the operators.

Based on discussions with SANBAG transit staff and review of related documentation provided by both SANBAG and the transit operators, it appears SANBAG has struggled with maintaining consistency to fully implement the Productivity Improvement Plan. The implementation of TransTrack was a significant endeavor to gain further compliance with reporting consistent performance measures; however several transit operators continue to have data entry issues with the various modules, whether it be data issues provided by the contract service providers, complexity with the software, or time constraints.

SANBAG, in cooperation with the transit operators, went live with TransTrack during the audit period. TransTrack is a computerized data collection and performance management tool geared toward transit operators. It is intended to standardize the reporting of critical operations data and provide a communications medium between SANBAG, the operators and their governing boards. After a few years of becoming familiar with this tool, several of the transit operators continue to experience challenges utilizing the capabilities of TransTrack. For example, TransTrack data does not match State Controller data or performance indicator data is not entered into TransTrack. Large fluctuations in operations data from year to year have also been found, oftentimes due to entry errors or incomplete quarterly and annual information. In addition, some smaller operators do not report their transit performance to their respective governing boards on a regular basis. Given the difficulties that the operators have been having with TransTrack, SANBAG has been reluctant to utilize TransTrack data in its reports to the Board. As a result, there are ongoing efforts by both SANBAG and the operators to improve the data consistency and utilization of this system to its potential. This may require additional training or assistance provided by SANBAG.

Regarding other aspects of the PIP, most operators have made attempts to implement prior performance audit recommendations. However, the status of their actions and outcomes to implement the recommendations do not appear to be conveyed to SANBAG on a regular basis. The annual TDA claims provide a venue from which the operators could annually report to SANBAG the status of the performance audit recommendations. SANBAG could then monitor the operators' progress to fully comply with the recommendations.

From a review of sample TDA claims forms completed by the transit claimants during the audit period, only one operator (City of Barstow) provided documentation on specific initiated efforts to improve productivity. This is the third component of the PIP. Documentation on specific initiated efforts should be provided by each operator to SANBAG as part of the TDA claims. Other required data to accompany the claims such as copies of the CHP pull notice compliance should also be provided by the operators. As a few operators had past unsatisfactory CHP ratings for a variety of violations, SANBAG should be aware of these findings and follow up with the operator to maintain compliance. Violations occurred in the audit period and included poor vehicle maintenance (Needles) and Driver Pull Notice Program violations (MARTA, MBTA and Omnitrans).

SANBAG also participates in the statewide TDA working group and sends a representative when possible. Participation in the working group provides benefit for all San Bernardino TDA claimants.

TDA Claim Processing

The Senior Transit Analyst oversees and administers the TDA claims process in addition to responsibilities related to commuter rail. According to the annual SANBAG basic financial statements, SANBAG was responsible for managing and disbursing \$64.0 million in Local Transportation Fund revenues in FY 2006, \$56.4 million in FY 2007, and \$81.9 million in FY 2008. In addition, the agency disbursed \$1.8 million in State Transit Assistance funds in FY 2006, \$3.9 million in FY 2007, and \$5.4 million in FY 2008. As described earlier, prior to apportionment to the transit operators and other claimants, LTF revenues are claimed by SANBAG for administration and planning purposes. Claims are also made for bicycle and pedestrian projects under the appropriate claim process.

SANBAG prepares and distributes the TDA claims packets electronically along with funding information needed to prepare TDA claims. Included in the packet is a checklist of items to be filed. The claims checklist used during the audit period contained a listing of 13 items which allows for each claimant to submit and justify their need for TDA funds. Beginning with the FY 2008-09 claims cycle, SANBAG revised the claims form to minimize the number of repeat entries. The claim form now includes shaded areas that contain formulas for importing data from other entries. The checklist of items to file also grew from 13 to 14 to include submittal of a listing on ongoing capital projects.

The claims are prepared by each operator, adopted by the operator's governing board or council, and must include a signoff on the implementation of a number of TDA requirements. These requirements are contained in the "Standards Assurances" form and include compliance with revenue ratios, attachment of specific documentation, and submittal of compliance audits and reports. Each submitting claimant certifies that all conformance requirements are satisfied to receive both LTF and STA funds. SANBAG should ensure that all required forms are submitted with the claim such as the CHP pull notice certificates and productivity improvement program documentation. Once the claims are processed and funds are allocated by SANBAG, operators can amend claims during the fiscal year as actual transit service is delivered.

State Transit Assistance Funds are claimed using the same form and comply with the procedures and formulas established in the TDA statute. SANBAG is required to make annual findings prior to allocation of STA funds to the transit operators. These findings are part of the standard assurances checklist and are integrated with the claims for LTF revenues. Measure I elderly and disabled claims are a third aspect of the claims process.

The SANBAG TDA Application Manual is planned to be updated pending staff resources. The updated document will be made available online and contain the updated claim forms.

Unmet Transit Needs and PASTACC

Unmet transit needs hearings are required by TDA where claims can be made for streets and roads. This occurs only for the mountain and desert region of San Bernardino County since TDA is dedicated to transit in the San Bernardino Valley area. SANBAG conducts the annual unmet needs process in consultation with the Public and Specialized Transportation Advisory and Coordinating County (PASTACC), which serves as the statutorily required Social Services Transportation Advisory Council (SSTAC). Members of the PASTACC participate in the review of the comments.

Definitions of “unmet transit needs” and “reasonable to meet” are adopted by the County Transportation Commission Board of Directors during the unmet needs process. Unmet transit needs are defined as “any deficiency in the provision of public transit service, specialized transit service or private for-profit and non-profit transportation.” Transit needs that are “reasonable to meet” are based on the following criteria: (1) community acceptance; (2) timing; (3) equity; (4) cost effectiveness; and (5) operational feasibility.

Unmet transit needs hearings are coordinated by SANBAG transit staff and are generally held during the month of September. Given the vast geography of the mountain and desert region, public hearings are held in three locations in cooperation with the local transit agency: upper desert (Victorville), low desert (Joshua Tree), and mountain region (Big Bear Lake/Crestline). The hearings are duly noticed in local print publications, such as the San Bernardino County Sun, Hi-Desert Star, Desert Dispatch, and the Crestline Courier News. Flyers announcing the public hearings are posted on transit vehicles serving the region and notices are mailed to social service agencies, transit advocates and interested citizens. Unmet transit needs findings were reviewed for the audit period, some resulting in new trial services such as a non-emergency medical demand responsive service from the city of Needles to Bullhead City, Arizona.

Several PASTACC stakeholders were interviewed for this audit to gain an outside perspective on the effectiveness of this SANBAG-sponsored transit advisory group. Those interviewed have participated in PASTACC for at least a few years and attend the advisory group meetings regularly. Attendance at the meetings generally reaches about 20 members. Each stakeholder provided positive feedback regarding their opinions of the advisory group and staff's professionalism and knowledge about the issues. Each expressed the fact that staff encourages input and discussion and is a valuable objective resource to providing information of interest such as funding opportunities. Funding decisions and keeping informed about the flow of transit revenues are some of the primary draws of the participants to the group.

It was mentioned that much of the meeting discussion tends to focus on the specialized transit issues and needs in the Mountain/Desert Region and less on similar needs in the San Bernardino Valley such as funding challenges which affect all locales. In addition, as part of the questions asked, the stakeholders mentioned there is no orientation process for new members or those that seek greater familiarity with the purpose and functions of the advisory group. Some have reached out to SANBAG staff on their own to have their questions answered and staff has been helpful. Given the size of the PASTACC membership and varying interests of a diverse membership, a brief standard orientation or introductory guide about the advisory group and its role and responsibilities may be of assistance to the participants as they circulate through the advisory group.

Public Information and External Affairs

SANBAG has developed a comprehensive outreach effort to elicit support for its mission and to educate the public of its role in the delivery and maintenance of transportation infrastructure. The outreach program is divided into two roles: legislative affairs and media relations.

The legislative affairs efforts involve the utilization of a lobbyist at the federal level to ensure that adequate funding is maintained for local transportation projects. As part of its mission in providing transportation projects services to San Bernardino County, SANBAG plays an active role in Washington, D.C., and Sacramento in advocating transportation-friendly policies and securing funding for local and regional projects. The agency provides assistance and advocacy on behalf of the congressional delegation when requested. SANBAG also works closely with RCTC to establish a unified front in advocating for transportation legislation on behalf of the entire Inland Empire. SANBAG also takes a regional perspective in its advocacy with SCAG.

The SANBAG governing board approves a biennial legislative program covering the United States Congress and the California State Legislature, which provides staff direction on the policies and programs to be advocated for or against in Washington, D.C., and in Sacramento.

SANBAG's federal legislative program seeks to do the following:

- Protect and enhance current funding levels for transportation programs.
- Protect and enhance flexibility in use of transportation revenue.
- Reduce or eliminate costly and duplicative administrative and regulatory requirements.

Likewise, SANBAG's state legislative program sets forth the following goals:

- Protect and enhance current funding levels for transportation programs.

- Support increases in transportation revenues and funding sources that enhance the ability of SANBAG to implement their transportation plans.
- Maximize flexibility in the use of existing transportation revenues.
- Streamline administrative and regulatory processes.

SANBAG also participates in Mobility 21 to ensure its interests are heard. The SANBAG Executive Director is a Board Member of Mobility 21 which is a coalition that brings together public, business and community stakeholders to pursue regional solutions to the transportation challenges facing Los Angeles, Orange, Riverside, San Bernardino and Ventura Counties. A nonpartisan alliance, Mobility 21 delivers a unified voice for the region's transportation priorities and seeks to improve mobility in the region.

SANBAG's media relations efforts are conveyed through the agency's Public Information Officer, its website, publications and public presentations. SANBAG produces a number of publications as part of its public information and outreach efforts. The two-page "Street Smart" newsletter is the monthly meeting summary of the SANBAG Board of Directors that features key agenda highlights and a calendar of upcoming Board and committee meetings. Another publication is the "Inland Empire Quarterly Economic Report," which contains a snapshot of economic conditions and forecasts in Riverside and San Bernardino counties. Other publications are more project-specific, such as "Cruising through Construction," containing information on the progress of the Interstate 215 Improvement Project. "Construction Ahead" is the newsletter for the Interstate 10 Improvement Project, "In the Zone" is the newsletter for the State Street/University Parkway Grade Separation Project, and "On the Move" is the newsletter for the last 8 miles of the State Route 210 Extension Project. SANBAG has produced a multi-fold color brochure on Transportation Measure I, the Freeway Service Patrol, and the Interstate 215 Widening Project and about the role SANBAG plays in improving mobility in San Bernardino County.

SANBAG's website (<http://www.sanbag.ca.gov/>) is divided into seven main sections: About SANBAG, Projects, Commuter Info, Planning, Funding, News and Publications, and Resources. The left-hand margin entitled "Down the Road" contains a listing of upcoming Board and committee meetings as well as a link to Measure I. The right-hand margin entitled "Quick Picks" contains links to bid and career opportunities, major road construction projects, and recent publications. On the Commuter Info page, there is a link to the CommuteSmart.info trip planner, which includes traffic conditions data, a transit planner and a rideshare matching service for Southern California commuters. The Publications page has links to current newsletters, reports and studies, and informational brochures in Adobe Acrobat PDF format. There is also a form at the bottom of the page for ordering hard copies of SANBAG publications.

Grant Application and Management

SANBAG serves as the clearinghouse for federal grant applications that are reviewed to determine if there is any duplication of effort among agencies and to ensure that there is no conflict with local plans and policies. SANBAG's role for San Bernardino County is to review and be an integral part in state and federal funding assistance that promotes inter-jurisdictional coordination.

The agency assists the transit operators with obtaining both state and federal grants by ensuring the programming of resources and projects in the appropriate state and federal transportation implementation plans. As relatively new transportation funding sources such as State Proposition 1B are approved by voters, SANBAG provides the conduit and information for grant availability. State funding through the California Transit Security Grant Program for security cameras on board transit vehicles and at transit facilities is an example of the new type of funding that has become available. Federal grants have also played an important role in funding continued operations and capital replacement of the transit operators. In the revised TDA claims, SANBAG will be requiring the operators to submit a listing of capital projects approved in the prior year's budget but not yet completed. This is in addition to the listing of capital projects requested in the current budget year.

Section V

Findings

The following material summarizes the major findings obtained from the Triennial Audit covering fiscal years 2006 through 2008. A set of audit recommendations is then provided.

1. SANBAG conducts its management of the TDA program in a competent, professional manner while operating in a complex intergovernmental environment.
2. SANBAG has satisfactorily complied with most State legislative mandates for Regional Transportation Planning Agencies. A few compliance areas were partially met, including the mandate for SANBAG to analyze and recommend potential productivity improvements for the transit operators, as well as to ensure the fiscal and compliance audits were submitted to the State according to the statutory timelines.
3. SANBAG has responded to and implemented one of the two prior performance audit recommendations. The recommendation not yet implemented is to update its TDA application manual.
4. SANBAG has seen notable changes and challenges in staffing during the audit period, particularly at the senior management and executive leadership level. Staff changes included the recruitment of two Executive Directors in the past three years, a Director of Management Services and Mountain/Desert Subregional Policies and a new Director of Freeway Construction, and recruitment of four Chief Financial Officers.
5. In light of the extension of Measure I for another 30 years and the limited capacity of Caltrans and partner agencies to deliver projects, SANBAG has been organizing itself through creation of new positions and new internal controls toward serving as an implementation agency. A new strategic plan for Measure I has also been developed to guide future transportation infrastructure.
6. The agency was recognized in May 2007 as the International Employer of the Year by Women's Transportation Seminar (WTS) at an awards dinner in San Diego.
7. SANBAG is updating its financial software, having outgrown its current system, and recently installed and tested a new system. Tyler Technologies, Inc. is supplying SANBAG with the EDEN financial management software, including core financial and human resource applications. In conjunction with the financial

system overhaul, SANBAG is documenting current desk procedures and policies as a means to communicate the standard operating procedures in light of management turnover.

8. During the audit period, SANBAG commissioned an operations analysis for each of the transit operators, except Needles. Each Short Range Transit Plan provided recommendations for alternative service provision and benchmark performance measures to gauge productivity. Many of the recommendations have been implemented by the respective operators. However, LTF receipts and reserves have been trending lower due to the economic downturn resulting in required efforts by each transit agency to assess current service provision.
9. The apportioned amount of LTF funds used for SANBAG planning purposes has increased over the last three years. The increase was generally due to continued work in meeting TDA administrative requirements and planning for existing and new projects. SANBAG's statutory limit of LTF expenditures for planning and programming purposes is 3 percent of annual Local Transportation Fund revenues. SANBAG has been responsible in the amount it claims.
10. With the addition of a Transit Analyst in August 2006, SANBAG has had the staff capability to be more hands-on and engaged with the transit operators. Direct interface with the operators has been enhanced through communications and attendance at unmet transit needs hearings and PASTACC meetings, as well as review of operating performance through each operator's respective Short Range Transit Plan. By having additional transit staff focus on transit operations, the Director of Transit and Rail Programs is able to focus more on policy and to respond faster to funding and high-level decision-making for both commuter rail and public transit.
11. SANBAG, in cooperation with the transit operators, went live with TransTrack during the audit period. TransTrack is a computerized data collection and performance management tool geared toward transit operators. It is intended to standardize the reporting of critical operations data and provide a communications medium between SANBAG, the operators and their governing boards. After a few years of becoming familiar with this tool, several of the transit operators continue to experience challenges utilizing the capabilities of TransTrack. As a result, there are ongoing efforts by both SANBAG and the operators to improve the data consistency and utilization of this system to its potential.

Recommendations

1. Enhance the Transit Productivity Improvement Program.
(High Priority)

The transit PIP, which comprises three components, could be strengthened in several areas. One is for SANBAG to ensure that the transit operators submit their specific initiated efforts to improve productivity along with their TDA claims, as this is a standard assurance item. A second area is for development of a brief form or table for the operators to describe their status and actions to implement the performance audit recommendations. The form, which could be attached as part of the annual TDA claim, would include a request to list each recommendation, activities conducted to implement the recommendation, and the status of whether the recommendation was fully implemented or not, and follow-up actions to be taken. The third area is ongoing work with the operators to improve their usage of TransTrack, whether through additional instruction or training, identifying and communicating data errors, or validating the method to enter the data consistently.

2. Require transit operators to consistently submit CHP inspection certificates with TDA claims.
(High Priority)

The standard assurances form completed by the TDA claimants includes submittal of the annual CHP certificate verifying participation in the pull notice program. Submittal of these forms by the operators to SANBAG is a compliance requirement and should be provided. As a few operators had past unsatisfactory CHP ratings for a variety of violations, SANBAG should be aware of these findings and follow up with the operator to maintain compliance.

3. Maintain transit staff development for TDA administration.
(High Priority)

Given the retirement of the Director of Transit and Rail Programs, SANBAG should ensure that adequate training on TDA administration and compliance continues through the ranks. Desk procedures should be in place that enable senior staff and management to provide training to analysts and others regarding the responsibilities and compliance with TDA to maintain a high level of competency within the agency. This may include cross-sharing of responsibilities so that more than one person is capable of handling the tasks.

4. Update the SANBAG TDA application manual.
(High Priority)

As a carryover recommendation from the prior performance audit, the agency's guidebook should be updated to reflect changes to the administration of TDA.

These include the updated TDA statute book (February 2009), the updated TDA performance audit guidelines (September 2008), utilization of TransTrack as a performance monitoring tool, and utilization of the newly designed TDA claim form.

5. Develop orientation packet for new and existing PASTACC members.
(Medium Priority)

Given the diversity, interest and membership size of this advisory body, a brief standard orientation packet could assist new and existing members to become more familiar with the purpose, role and responsibilities of the group. Answers to common questions posed by members could be included in addition to other general information such as transit funding sources, list of acronyms, unmet needs process and other pertinent data. The packet may also serve as a reference document for the group to consult when exchanging ideas and discussion.

6. Consider development of a broader transit policy committee in light of multimodal planning in the county and region.
(Medium Priority)

SANBAG is engaged in several transit connectivity plans as well as a Long Range Transit Plan that will have broad implications on future travel and commuter behavior. These plans will likely have connectivity with rail and other transit and non-motorized systems as part of the effort to improve mobility while complying with state legislation including SB 375. Specialized transit for elderly and disabled passengers is another program that has been studied for coordination. With Bus Rapid Transit and other transit corridor endeavors being planned, a SANBAG policy committee that focuses on multimodalism and transit connectivity may be warranted in the near future. This concept might be linked to SANBAG's current standing commuter rail committee which provides a major travel mode in the county.

This list provides information on acronyms commonly used by transportation planning professionals. This information is provided in an effort to assist SANBAG Board Members and partners as they participate in deliberations at SANBAG Board meetings. While a complete list of all acronyms which may arise at any given time is not possible, this list attempts to provide the most commonly-used terms. SANBAG staff makes every effort to minimize use of acronyms to ensure good communication and understanding of complex transportation processes.

AB	Assembly Bill
ACE	Alameda Corridor East
ACT	Association for Commuter Transportation
ADA	Americans with Disabilities Act
ADT	Average Daily Traffic
APTA	American Public Transportation Association
AQMP	Air Quality Management Plan
ARRA	American Recovery and Reinvestment Act
ATMIS	Advanced Transportation Management Information Systems
BAT	Barstow Area Transit
CALACT	California Association for Coordination Transportation
CALCOG	California Association of Councils of Governments
CALSAFE	California Committee for Service Authorities for Freeway Emergencies
CARB	California Air Resources Board
CEQA	California Environmental Quality Act
CMAQ	Congestion Mitigation and Air Quality
CMIA	Corridor Mobility Improvement Account
CMP	Congestion Management Program
CNG	Compressed Natural Gas
COG	Council of Governments
CSAC	California State Association of Counties
CTA	California Transit Association
CTC	California Transportation Commission
CTC	County Transportation Commission
CTP	Comprehensive Transportation Plan
DBE	Disadvantaged Business Enterprise
DEMO	Federal Demonstration Funds
DOT	Department of Transportation
EA	Environmental Assessment
E&D	Elderly and Disabled
E&H	Elderly and Handicapped
EIR	Environmental Impact Report (California)
EIS	Environmental Impact Statement (Federal)
EPA	Environmental Protection Agency
FHWA	Federal Highway Administration
FSP	Freeway Service Patrol
FTA	Federal Transit Administration
FTIP	Federal Transportation Improvement Program
GFOA	Government Finance Officers Association
GIS	Geographic Information Systems
HOV	High-Occupancy Vehicle
ICTC	Interstate Clean Transportation Corridor
IEEP	Inland Empire Economic Partnership
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
IIP/ITIP	Interregional Transportation Improvement Program
ITS	Intelligent Transportation Systems
IVDA	Inland Valley Development Agency
JARC	Job Access Reverse Commute
LACMTA	Los Angeles County Metropolitan Transportation Authority
LNG	Liquefied Natural Gas
LTF	Local Transportation Funds
MAGLEV	Magnetic Levitation

MARTA	Mountain Area Regional Transportation Authority
MBTA	Morongo Basin Transit Authority
MDAB	Mojave Desert Air Basin
MDAQMD	Mojave Desert Air Quality Management District
MOU	Memorandum of Understanding
MPO	Metropolitan Planning Organization
MSRC	Mobile Source Air Pollution Reduction Review Committee
NAT	Needles Area Transit
NEPA	National Environmental Policy Act
OA	Obligation Authority
OCTA	Orange County Transportation Authority
PA&ED	Project Approval and Environmental Document
PASTACC	Public and Specialized Transportation Advisory and Coordinating Council
PDT	Project Development Team
PNRS	Projects of National and Regional Significance
PPM	Planning, Programming and Monitoring Funds
PSE	Plans, Specifications and Estimates
PSR	Project Study Report
PTA	Public Transportation Account
PTC	Positive Train Control
PTMISEA	Public Transportation Modernization, Improvement and Service Enhancement Account
PUC	Public Utilities Commission
RCTC	Riverside County Transportation Commission
RDA	Redevelopment Agency
RFP	Request for Proposal
RIP	Regional Improvement Program
RSTIS	Regionally Significant Transportation Investment Study
RTIP	Regional Transportation Improvement Program
RTP	Regional Transportation Plan
RTPA	Regional Transportation Planning Agencies
SB	Senate Bill
SAFE	Service Authority for Freeway Emergencies
SAFETEA-LU	Safe Accountable Flexible Efficient Transportation Equity Act – A Legacy for Users
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCRRA	Southern California Regional Rail Authority
SHA	State Highway Account
SHOPP	State Highway Operations and Protection Program
SOV	Single-Occupant Vehicle
SRTP	Short Range Transit Plan
STAF	State Transit Assistance Funds
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
TAC	Technical Advisory Committee
TCIF	Trade Corridor Improvement Fund
TCM	Transportation Control Measure
TCRP	Traffic Congestion Relief Program
TDA	Transportation Development Act
TEA	Transportation Enhancement Activities
TEA-21	Transportation Equity Act for the 21 st Century
TMC	Transportation Management Center
TMEE	Traffic Management and Environmental Enhancement
TSM	Transportation Systems Management
TSSDRA	Transit System Safety, Security and Disaster Response Account
USFWS	United States Fish and Wildlife Service
VCTC	Ventura County Transportation Commission
VVTA	Victor Valley Transit Authority
WRCOG	Western Riverside Council of Governments

San Bernardino Associated Governments



MISSION STATEMENT

To enhance the quality of life for all residents, San Bernardino Associated Governments (SANBAG) will:

- Improve cooperative regional planning
- Develop an accessible, efficient, multi-modal transportation system
- Strengthen economic development efforts
- Exert leadership in creative problem solving

To successfully accomplish this mission, SANBAG will foster enhanced relationships among all of its stakeholders while adding to the value of local governments.

Approved June 2, 1993
Reaffirmed March 6, 1996